

# FRAMEWORK FOR NAVAL COOPERATION BETWEEN VIETNAM AND THE UNITED STATES

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by

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## ABSTRACT

### FRAMEWORK FOR NAVAL COOPERATION BETWEEN VIETNAM AND THE UNITED STATES, by Captain Dong Phuc Nguyen, 124 pages.

In 1995, U.S. President Bill Clinton visited Vietnam, the first official visit by a U.S. President since the end of the Vietnam War, marking a milestone in breaking freezing ice in the two erstwhile adversaries' rapprochement. Since the diplomatic normalization in 1995, the Vietnam-United States relationship has taken giant steps forward in virtually every aspect, especially solidified by a Comprehensive Partnership Agreement signed by the two Presidents in 2013 creating an overarching framework for advancing the bilateral relationship.

Although Vietnam and the United States are geographically separated by the Pacific Ocean, they share a number of common interests and issues in the South China Sea. Consequently, naval cooperation will be one of the most significant areas of cooperation. This research examines viability of the current VN-US naval relationship and how it is impacted by other actors, China and ASEAN in particular. The study concludes that strategic partnership should be a viable platform for future relationship between Vietnam and the United States. Finally, this research suggests a framework for naval cooperation between Vietnam and the United States featured by three lines of effort: addressing human rights issues, adjusting IMET and enhancing weapon sales, naval exercises, logistics cooperation and information sharing.

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## ACRONYMS

ADIZ	Air Defense Identification Zone
ASEAN	Association of Southeast Asian Nations
CN	China
EEZ	Exclusive Economic Zone
FTA	Free Trade Agreement
GDP	Gross Domestic Product
IMET	International Military Education and Training
MIA	Missing in Action
NEA	Naval Engagement Activity
NSS	National Security Strategy
ODA	Official Development Assistance
OFDA	Office of Foreign Disaster Assistance
PACOM	United States Pacific Command
POW	Prisoner of War
PRC	People's Republic of China
SCS	South China Sea
U.S.	United States
UN	United Nations
VCG	Vietnam's Coast Guard
VN	Vietnam
VPA	Vietnam People's Army
VPA	Vietnam People's Navy
WTO	World Trade Organization



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## CHAPTER 1

### INTRODUCTION

#### Vietnam's geography

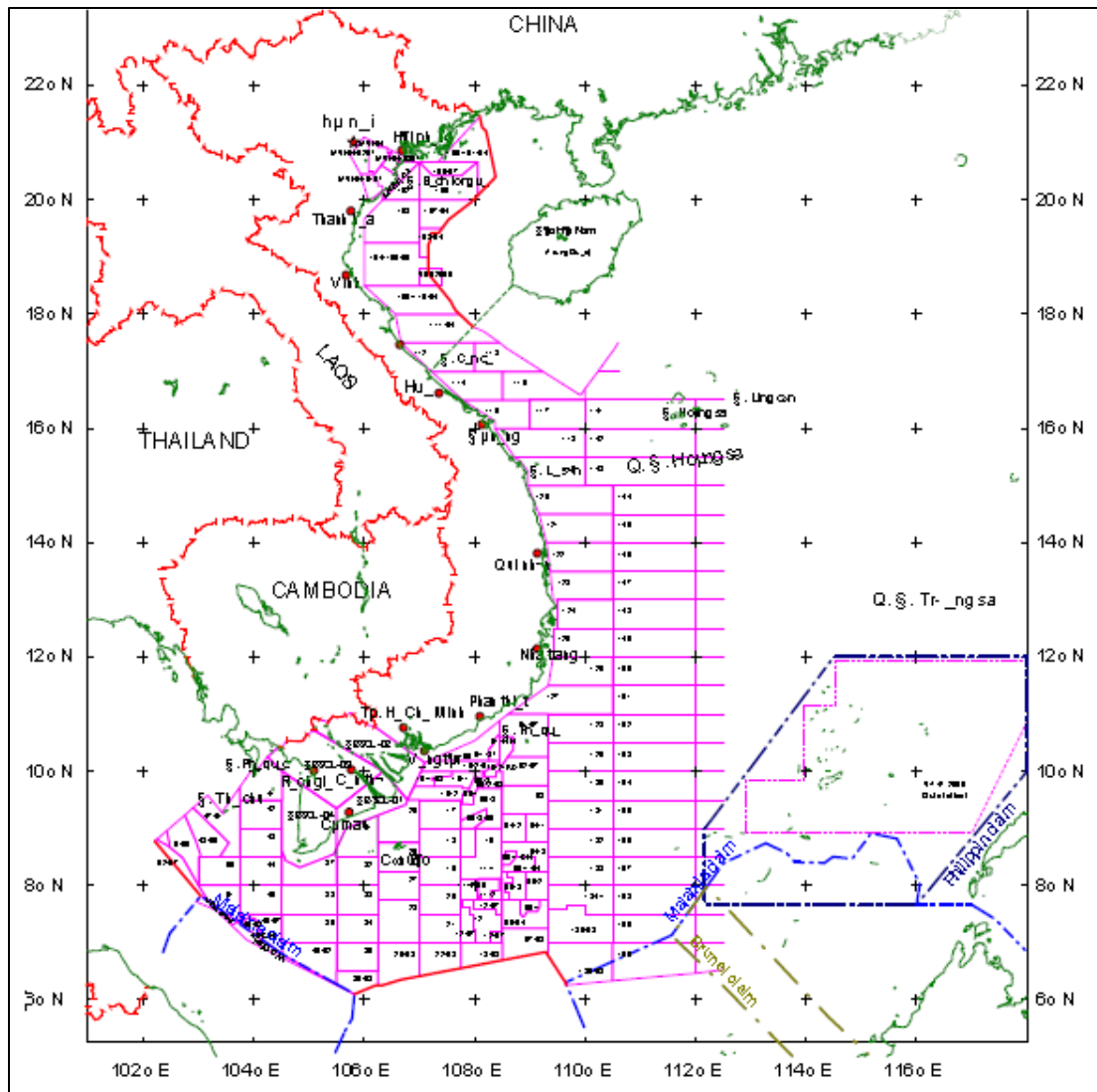
Vietnam, officially named the Socialist Republic of Vietnam, is located on the Indochina Peninsula in Southeast Asia. On a map, the country is an S-shaped strip of land, stretching from 23°23' to 8°27' north latitude. The country's total length is 1,650 km from the northernmost point to the southernmost point. Its width, from the eastern coast to the western border, is about 500 km at the widest part and about 50 km at the narrowest part.<sup>1</sup>

Vietnam is a maritime nation featured by long coastline facing the Eastern Sea to the East and the Gulf of Thailand to the South and Southwest with the coastline of 3,260 km. The territorial waters extend to the East and Southeast, including the continental shelf, islands and archipelagoes. There is a group of approximately 3,000 islets belonging to Viet Nam in the Tonkin Gulf, including Ha Long Bay, Bai Tu Long Bay, Cat Hai, Cat Ba and Bach Long Vi Island. Vietnam claims territorial sovereignty over Hoang Sa Archipelago (Paracel Islands) and Truong Sa Archipelago (Spratly Islands) in the SCS to the east. There are groups of islands including Con Son, Phu Quoc and Tho Chu to the West and the Southwest.<sup>2</sup>

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<sup>1</sup> Embassy of the Socialist Republic of Vietnam in the United States of America, "Geography," accessed October 14, 2016, <http://vietnamembassy-usa.org/Vietnam/geography>.

<sup>2</sup> Ibid.



*Source:* Manh Dong, “Maritime delimitation between Vietnam and her neighboring countries” (The United Nations–The Nippon Foundation of Japan Fellowship Programme Asia-Pacific Alumni Meeting, April 16, 2009), accessed December 12, 2016, [http://www.un.org/depts/los/nippon/unnff\\_programme\\_home/alumni/tokyo\\_alumni\\_presents\\_files/alum\\_tokyo\\_dong.pdf](http://www.un.org/depts/los/nippon/unnff_programme_home/alumni/tokyo_alumni_presents_files/alum_tokyo_dong.pdf).

Vietnam has a long land border and coastline with the total length of 4,550 km.

The country shares a border with China to the north, Laos and Cambodia to the west, and

the Eastern Sea (South China Sea) of the Pacific Ocean to the east. Regarding land borders, after rigorous efforts to negotiate with its neighbors, Vietnam signed official treaties to claim its territory. In terms of maritime territory, Vietnam and China have agreed upon the borders on the seas. The mutual agreement between the two countries, the Agreement on Delimitation of the Tonkin Gulf which was signed by Foreign Ministers of Viet Nam and China in Beijing on 25th December 2000, marked the successful conclusion of process of negotiations. There has not been any treaty to separate maritime borders between the two nations in terms of Paracel Islands and Spratly Islands.

### South China Sea Dispute

The South China Sea covers an area of about 3,500,000 square kilometers (1,400,000 square miles). Stretching from the Singapore and Malacca Straits in the southwest to the Straits of Taiwan in the northeast, the sea comprises over 250 islands, atolls, and reefs—a majority of which are uninhabited. These are grouped into four main archipelagoes: Pratas, Macclesfield Bank, Paracel, and Spratly. The importance of the South China Sea is defined by its geostrategic location and rich natural resources.

Economically, one third of all worldwide maritime traffic traverses the SCS, which is equivalent to the transportation of a half of the world's annual merchant fleet tonnage.<sup>3</sup> In addition, the SCS has an immense amount of natural resources. The economic value in the SCS is featured by the presence of valuable fish stocks and

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<sup>3</sup> Robert D. Kaplan, "The South China Sea Is the Future of Conflict," *Foreign Policy*, August 15, 2011, accessed October 22, 2016, <http://foreignpolicy.com/2011/08/15/the-south-china-sea-is-the-future-of-conflict/>.

potential existence of large hydrocarbon resources. A United Nations report estimates that the SCS alone accounts for more than 10 percent of global fisheries production. These vast water areas serve as traditional fishing grounds for six countries—China, Indonesia, the Philippines, Malaysia, Brunei and Vietnam. More importantly, the Energy Information Administration estimates that there are approximately 11 billion barrels and 190 trillion cubic feet of proved and probable oil and natural gas reserves in the South China Sea.<sup>4</sup> Strategically, the SCS connects Indian Ocean and Pacific Ocean serving as the throat of global sea routes. Sea control or air supremacy of the SCS will provide a country a huge advantage to project power into the Eurasian rim lands. In addition, controlling maritime transportation also enables a country to deter external threats and reinforce vast interior power.

The SCS disputes involve both island and maritime claims among several sovereign states within the region, namely the Nation of Brunei, the People's Republic of China, the Republic of China (Taiwan), Malaysia, the Republic of the Philippines, and the Socialist Republic of Vietnam. The two main disputed archipelagos are the Paracel and Spratly Islands. Vietnam, China and Taiwan claim their undeniable sovereignty over the Paracel Islands. The disputes over the Spratly Islands are much more complicated with the involvement of six claimants. While Malaysia, the Philippines and Brunei assert sovereignty over some islands in Spratly—China, Taiwan and Vietnam claim the entire archipelago.

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<sup>4</sup> U.S. Energy Information Administration, “South China Sea,” U.S. Department of Commerce, February 7, 2013, accessed October 22, 2016, [https://www.eia.gov/beta/international/analysis\\_includes/regions\\_of\\_interest/South\\_China\\_Sea/](https://www.eia.gov/beta/international/analysis_includes/regions_of_interest/South_China_Sea/).



Figure 2. South China Sea Dispute

Source: Chun Han Wong, "China Appears to Have Built Radar Facilities on Disputed South China Sea Islands," *The Wall Street Journal*, February 23, 2016, accessed December 17, 2016, <http://www.wsj.com/articles/china-appears-to-have-built-radar-gear-in-disputed-waters-1456198634>.

### Purpose and Research Goals

The research will analyze the viability of the current VN-US naval relationship and whether that relationship can be upgraded. An analysis will be conducted to define the problems which could prevent Vietnam and the United States from proceeding to a higher level of naval cooperation. In addition, the study will suggest a future framework to enhance relationship and mitigate the problems without jeopardizing to the security of other countries in the area.

### Research Questions

Primary question:

What should be the future framework for upgrading naval cooperation between Vietnam and the United States?

Secondary questions:

1. What is the current naval relationship between the United States and Vietnam?
2. How do China and the SCS dispute affect the current VN-US naval cooperation?
3. What are the catalysts for upgrading the relation?
4. What aspects of the relationship can be targeted for change that strengthen VN-US relationship without overly antagonizing other regional players?

### Significance

Although Vietnam and the United States are geographically separated by the Pacific Ocean, they share a number of common interests and issues in SCS. The two countries have agreed to collaborate in particular aspects of maritime cooperation;



however, the current nature of this relationship is limited. The two countries need to construct a framework to enhance the relationship. A framework for naval cooperation will lay the foundation for the two countries to deal with common challenges, enable the strength of Vietnam's naval power and bolster the U.S. presence and influence in SCS. Moreover, the outcome of the research will serve as a useful reference which can help policy makers reinforce the relationship between Vietnam and the United State in the future.

### Assumptions

This research makes two main assumptions. First, since the research was conducted during the transition time between the two administrations in the United States, there will be some changes in polices between President Donald J. Trump and his predecessor, President Barack Obama, regarding Asia-Pacific region. However, as the region plays a vital role to the United States, there will not be significant U.S. foreign policy changes in the country's strategy during President Donald Trump's presidential term. The overall passage of "Pivot to Asia" will still be the fulcrum for the United States to develop long-term campaign in the SCS. Second, Vietnam remains consistent its long-term policies and national strategy over the sovereignty in the SCS.

### Limitations

The research will not look into other actors involved in the SCS disputes except Vietnam, the United States, ASEAN countries, China and Taiwan. In addition, even though there is a variety of available information and data written in different languages, in order to guarantee that no inaccuracy is introduced through translation of foreign

language scientific studies, the research utilizes exclusively English-written resources. In addition, since the research is implemented during the transition time of the two administrations in the United States, and the new administration has not released any official document referring to the Asia-Pacific region, the author exclusively utilizes the references up until April 31, 2017.

### Considerations

The research solely seeks to boost the naval cooperation between Vietnam and the United States. The purpose of bilateral relationship between the two countries is to benefit Vietnam and America's development as well as contribution materially to stability and peace in the SCS. Neither will the cooperation aim to escalate more tensions in the region nor advocate a hostile collaboration to against the third parties.

## CHAPTER 2

### LITERATURE REVIEW

Cooperation has become a commonly promising approach to enhance international security and strengthen each nation in the world. Even though some countries have significant differences in political systems or even formidable conflicts existing in the past, they can share similarities and interests. The relation between Vietnam and the United States exemplifies the efforts from the two countries to overcome differences and hostility in the past in an attempt to enhance the future cooperation.

What the two nations have cooperated since the end of the Vietnam War is distinguishably recognized. It is undeniable that the two nations will enhance their relationship in the future. However, does the desire to promote the current relationship solely depend on the two nations or other actors will involve in the issue? Are there any negative undesired effects on each nation and the region if the current relationship is upgraded?

Army techniques publication ATP 5-0.1, *Army Design Methodology* (ADM), stands out to be the proper tool to consider the future relationship between the United States and Vietnam in the future. AMD is comprised of three main processes: framing the operational environment, framing the problem, and considering operational approaches. Framing the operational environment is conducted by selecting, organizing, and interpreting information in order to establish the context of an operational environment and the problem. Understand the current state of an operational environment, projecting how an operational environment may trend and discerning desired future states of other

actors and envisioning a desired end state are the key elements of framing the operational environment. After that, framing problem will help analyze the issues or obstacles that make it difficult to achieve a desired goal or objective. Finally, an operational approach—a description of the broad actions — must be developed to transform current conditions into desired end state.<sup>5</sup>

Since the situation in the SCS is complicated and related to many actors, it is difficult to determine tensions and relationships among parties in the region. A cognitive trap created by an ambiguous and poor understanding about operational environment might deter the progress or, even worse, reverse the future development. ADM can assist commanders and planners apply critical and creative thinking to understand, visualize, and describe complex, ill-structured problems and develop approaches to solve them. The ADM would be proper tool to steer thinkers from cognitive traps.<sup>6</sup>

In order to frame a comprehensive picture of current operational environment, it is imperative for the literature review to highlight the United States' policies and strategy in the Asia-Pacific region, especially in the SCS, tied to Vietnam's interests and long-term strategy in the future. However, it is deficient not to mention the involvement of China and ASEAN whose strategy has a significant impact on the future naval relation between Vietnam and the United States. In an attempt to define more explicitly the

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<sup>5</sup> Raymond M. Longabaugh, "Explaining the Army Design Methodology," *Infantry* 104, no. 1 (2014): 13-16, accessed March 15, 2017, Military and Government Collection, EBSCOhost.

<sup>6</sup> Headquarters, Department of the Army, Army Techniques Publication No 5-0.1, *Army Design Methodology* (Washington, DC: Government Printing Office, 1 July 2015), 1-3.

current operational environment, the literature review also outlines the international voice on the SCS dispute issue expressed by the UNCLOS and final Permanent Court of Arbitration's declaration of the lawsuit between the Philippines and China and what UNCLOS and PCA roles are in judging actions of nations involved in the region.

### Vietnam's Strategy

English-written documents referring to the Vietnam's strategy are not as readily available as are the resources interpreting the strategies of the United States and China. One of the most outstanding governmental publications which condenses the country's defense policy is the Vietnamese Ministry of National Defense publication titled, *Vietnam National Defense* in 2009. Although the document was released eight years ago, it reflects Hanoi's current strategy and policy regarding the SCS issues.

The first part of the document, "Security Situation and National Defense Policy," provides an analysis about the changes in the world and in the Asia-Pacific region. Acknowledging the increasing threats from both non-traditional and traditional adversaries to the peace and prosperity in the world, the first chapter expresses Vietnam's concerns about the potentials of future conflicts in the world. The country strongly believes, "The peace and cooperation for mutual development has been the mainstream."<sup>7</sup>

Regarding the Asia-Pacific, Vietnam envisions that the region with its strategic importance and sustainable economic development has increasingly taken a crucial position in the world. The regional stability has created golden opportunities to the

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<sup>7</sup> Vietnam Minister of Defense, *White Paper: Vietnam National Defence* (Hanoi: Nha Xuat Ban The Gioi, 2009), 13.

countries in the area to grow and consolidate their economies. However, Hanoi also recognizes the potential threats which can jeopardize peace and development in the area. In addition to the global recession in 2008 which imperiled economic development and exacerbated the domestic unstable situation in some countries, the region has witnessed a number of territorial disputes over land and sea. In addition to the SCS dispute, Vietnam's security is negatively affected by "non-traditional security issues such as illegal trafficking of weapons and drugs; piracy, organized trans-national crimes, terrorism, illegal migration and immigration; environmental degradation, climate change, and epidemics."<sup>8</sup> Overall, even though some significant changes in the world and the region have posed some challenges to Vietnam, the country has enjoyed unprecedented chances to develop the economy and consolidate its sovereignty.

The second chapter of part one in the White Paper outlines Vietnam's national defense policy. It articulates the main purpose of building the military is to maintain and protect peace and sovereignty over its territory. The publication confirms "Vietnam demands that its independence, sovereignty, unity, territorial integrity and national interests must be respected by other countries. Vietnam advocates against the military use of force first in international relations, but is ready to resolutely fight against all aggressive acts."<sup>9</sup> The country expresses a clear message: it will respect other countries' territory and sovereignty but in response, Vietnam expects the same from other nations.

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<sup>8</sup> Vietnam Minister of Defense, 18.

<sup>9</sup> Ibid., 19.

Referring to the disputes in the SCS, Vietnam emphasizes that Hanoi has adequate historical and legal evidence to claim sovereignty over Spratly and Paracel islands. The country reiterates that “As for disputed sovereignty rights at sea, though there is sufficient historical evidence and legal foundation to prove Vietnam’s undeniable sovereignty over water areas and islands in the East Sea (the SCS), including the Paracel and the Spratly islands, it is always ready to negotiate with all parties concerned to find peaceful solutions to those disputes in conformity with regulations of the 1982 United Nations Convention on the Law of the Sea.”<sup>10</sup> Vietnam expresses a strong and decisive determination to protect its maritime territory based on the international law systems.

In order to reinforce the armed forces, Vietnam emphasizes the significance of foreign relations and defense cooperation. Although Hanoi seeks the policy of self-defense referred as “three no” rules—no military alliances, no allowance for any country to set up military bases on Vietnamese territory, and no reliance on any countries for help in combating other countries<sup>11</sup> —the country appreciates the importance of defense cooperation in consolidating peace and sovereignty. Vietnam is aware that the country is inseparable from the world’s security in general and regional security in particular. Hanoi advocates strengthening bilateral defense relations while actively participating in multilateral defense. Moreover, the country pays high appreciation to the vital roles and impressive results of international defense cooperation such as ASEAN and United

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<sup>10</sup> Vietnam Minister of Defense, 19.

<sup>11</sup> Truong Minh Vu and Nguyen Thanh Trung, “A U.S.-Vietnam Alliance or Still a U.S.-Vietnam-China Triangle?” *International Policy Digest*, accessed November 25, 2016, <https://intpolicydigest.org/2014/10/03/u-s-vietnam-alliance-or-u-s-china-vietnam-triangle/>.

Nations. In suggesting for future military cooperation with other countries or organizations, Vietnam states that, “cooperation priorities in Vietnam’s defense relations with other countries are exchange of military delegations, information and experience sharing, cooperation in training and education, and solving humanitarian issues.”<sup>12</sup>

Part two of the White Paper 2009 mentions “the Building of National Defense.” Providing a comprehensive explanation of the nation’s defense strength , it states “Vietnam’s national defense is the all-people national defense which comprises the full spectrum of the State and people’s political, economic, diplomatic, military, cultural and scientific activities that contribute to the build-up of a synchronized, balanced and comprehensive power of the nation of which the military power is of the essence and the armed forces being the key element in order to maintain the country’s peace and stability, prevent acts of sabotage and war provocation, repulse threats of war, and at the same time, be ready to defeat any aggressive acts in all forms and scales.”<sup>13</sup>

The remainder of the document describes the organization of Vietnam People’s Army. Although the development of branches in the country’s armed forces was discussed in this part, Hanoi established the Vietnam People’s Navy on the priority. The White Paper states that, “In the future, the Navy will be further equipped with modern weapons and enhanced combat power to be sufficiently capable of successfully

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<sup>12</sup> Vietnam Minister of Defense, 24.

<sup>13</sup> Ibid, 33.



accomplishing the task of protecting Vietnam's sovereignty, sovereign rights, jurisdiction and national interests at sea."<sup>14</sup>

In conclusion, Vietnam always keeps a firm opinion on the SCS disputes. The country advocates using peaceful means and negotiation based on international laws to cope with the long-time conflicts in the area. In an attempt to protect and maintain peace and sovereignty, Hanoi will implement the solution to strengthen its instruments of national power. In the meantime, the country seeks to heighten its relations and cooperation with other countries to for the sake of increasing national power and contributing to the peace and prosperity in the area.

#### The U.S. Interests and Strategy in the South China Sea

Since the SCS is vital to the U.S. interests, the United States elaborated on its long-term strategy in the area highlighted in the publication, *The Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security Objectives in a Changing Environment*, written by the U.S. Department of Defense in 2015. In the document, the United States emphasized its interests in the area, outlined the reasons why the United States needed to safeguard the freedom of the sea, promoted adherence to international law and standards and encouraged effective solutions to prevent coercion and conflicts. After highlighting the complexity of the SCS and the East Sea, the department of defense suggested four lines of effort to employing the U.S. strategy in the area.

Overall, the publication states that the United States has a long history of interests in SCS. The Washington DC considers freedom of navigation in the SCS one of the most

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<sup>14</sup> Vietnam Minister of Defense, 74.

enduring U.S. interests. The freedom of navigation combines two distinctive concepts: the freedom of maritime transportation for trade and commerce and the right to conduct non-hostile military activities in the SCS.<sup>15</sup>

In terms of economics, the SCS is one of the most important trade routes in the world and has a great impact on the United States, the biggest economy in the world. Almost a third of the global crude oil and over half of the global liquefied natural gas passes through the SCS each year.<sup>16</sup> More specifically, U.S. trade accounts for 1.2 trillion dollars of the total of 5.3 trillion dollars in natural resources, goods, and materials that sail through the SCS each year.<sup>17</sup> The SCS functions like a throat between the Western Pacific and Indian Ocean. If a crisis occurs which restricts the freedom of marine transportation in the SCS, the U.S. economy will be seriously affected.

In terms of national military strategy, the most crucial U.S. interests in the SCS are the rights, freedoms, and lawful usage of the sea and airspace, including for military ships and aircraft, recognized under international laws. Since the nine-dash line claimed by PRC covers more than eighty percent of the SCS, if China objects to non-hostile military activities within this claim, it virtually deters U.S. military's actions in the SCS.

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<sup>15</sup> Michael McDevitt, "The South China Sea: Assessing U.S. Policy and Options for the Future," CNA Occasional Paper, November 2014, accessed March 21, 2017, [https://www.cna.org/cna\\_files/pdf/IOP-2014-U-009109.pdf](https://www.cna.org/cna_files/pdf/IOP-2014-U-009109.pdf).

<sup>16</sup> US Department of Energy, "The SCS Is an Important World Energy Trade Route," U.S. Energy Information Administration, April 4, 2013, accessed November 29, 2016, <http://www.eia.gov/todayinenergy/detail.php?id=10671>.

<sup>17</sup> Bonnie Glaser, "Armed Clash in the SCS," *Council on Foreign Relations*, April 2012, accessed November 22, 2016, <http://www.cfr.org/world/armed-clash-southchina-sea/p27883>.

In the long-term, Beijing's territorial claim would reduce and deter the United States projection of power in not just only Pacific Ocean, but also impact the country's global strategy. This would jeopardize U.S. military power and influence the country's strategy not just in the region but also over the world.

In terms of legal basis, even though the legitimacy of territorial and maritime claims are not comprehensively discussed in the document, it highlights the importance of abiding by international maritime law systems. The document punctuates that "Although the United States takes no position on competing sovereignty claims to land features in the region, all such claims must be based upon land (which in the case of islands means naturally formed areas of land that are above water at high tide), and all maritime claims must derive from such land in accordance with international law, as reflected in the Law of the Sea Convention."<sup>18</sup>

Emphasizing on the compliance of international law, the publication identifies countries which have an inconsistent usage of EEZ in relation with UNCLOS. Mentioning China's laws, the document criticizes Beijing for excessive usage of EEZ. The maritime strategy elaborates that "These excessive claims include, for example, improperly-drawn straight baselines, improper restrictions on the right of warships to conduct innocent passage through the territorial seas of other States, and the freedom to conduct military activities within the EEZs of other States."<sup>19</sup> In addition, the United

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<sup>18</sup> U.S. Department of Defense, *The Asia-Pacific Maritime Security Strategy* (Washington, DC: Government Printing Office, August 2015), 16, accessed March 29, 2017, [https://www.defense.gov/Portals/1/Documents/pubs/NDAA%20A-P\\_Maritime\\_Security\\_Strategy-08142015-1300-finalformat.pdf](https://www.defense.gov/Portals/1/Documents/pubs/NDAA%20A-P_Maritime_Security_Strategy-08142015-1300-finalformat.pdf).

<sup>19</sup> Ibid.

States remarks succinctly “Whereas the United States, like most other countries, believes that coastal states under UNCLOS have the right to regulate economic activities in their EEZs, but do not have the right to regulate foreign military activities in their EEZs.”<sup>20</sup> The publication refers to China’s violation of UNCLOS without direct and serious language. More importantly, the document denies territorial sea around reclaimed islands. Even though the artificial island building issues had been mentioned before in other U.S. governmental documents, this publication strongly stated that “China’s recent efforts involve land reclamation on various types of features within the South China Sea. At least some of these features were not naturally formed areas of land that were above water at high tide and, thus, under international law as reflected in the Law of the Sea Convention, cannot generate any maritime zones.”<sup>21</sup> In summary, the document defies PRC’s excessive claim on the EEZ and protests the illegitimacy of China’s artificial islands building in the SCS.

Recognizing the strategic importance of the SCS the publication suggests four U.S. lines of efforts to realize its long-term strategy.

The first line of effort is to enhance U.S. Military capacity in maritime Asia. During the U.S. sixty-year in the area, it has contributed significantly to the security and stability in the Asia-Pacific region. However, confronting an increasing number of non-states’ and states’ hostile activities, the United States needs to increase and reinforce its

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<sup>20</sup> U.S. Congress. Calling upon the United States Senate to give its advice and consent to the ratification of the United Nations Convention on the Law of the Sea. H. Res. 631, 114th cong., 2d Sess., 2016.

<sup>21</sup> U.S. Department of Defense, *The Asia-Pacific Maritime Security Strategy*.

strength and capability in the area. A proposed future approach is to reinforce U.S. maritime strength in Asia-Pacific. Equipping with more up-to-date weapons and equipment, increasing force posture and conducting extensively maritime patrols, training and exercises with partners in the area are the core tasks to strengthen U.S. military in the area.

The second line of effort is to build ally and partner capability. Since The US PACOM area of responsibility covers over fifty percent of the world's population and is larger than other geographic combatant commands in terms of area, it is excessively challenging to the United States to maintain an effective presence and accomplish future missions without support from its allies and partners. Although the United States has mutual defense treaties with five of the thirty-six nations in the area, the U.S. government needs to expand defense cooperation to other partners and potential partners in the region. The publication outlines necessary solutions to build up ally and partner strength: “Working with partners to expand regional maritime domain awareness capabilities, with an effort to work towards a regional common operating picture; providing the necessary infrastructure, logistics support, and operational procedures to enable more effective maritime response operations; further strengthening partner nation operational capabilities and resilience by deepening and expanding bilateral and regional maritime exercises and engagements; helping partners strengthen their maritime institutions, governance, and personnel training; and identifying modernization or new system requirements for critical maritime security capabilities.”<sup>22</sup> This will be a crucial approach

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<sup>22</sup> U.S. Department of Defense, *The Asia-Pacific Maritime Security Strategy*.

to increase maritime military cooperation between the United States and other countries, Vietnam in particular.

The third line of effort is to reduce risks. The PACOM area of responsibility is significant but complicated. In addition to the risks posed by non-state adversaries, the potential friction and tensions between the United States and other countries, especially China and North Korean, can spark other fires. In order to prevent escalating tensions in the area the publication outlines future methods to reduce risks. Pursuing substantive dialogues, developing concrete and practical areas of shared interests, and encouraging risk reduction measures of military deployments are the most crucial actions to take into consideration.

The fourth line of effort is to build regional architecture and support the rule of law. This line of effort again confirms the significance of international laws and criticizes the China's excessive claim on EEZ. In addition to encouraging nations to comply with international maritime laws, the publication highlights the importance of regional institutions such as the East Asia Summit, ASEAN Regional Forum, and the ASEAN Defense Ministers Meeting Plus. The United States has developed the efforts to increase coordination with these organizations to enhance the future security and prosperity in the area. In all of these institutions, the DOD emphasizes ASEAN as increasingly important partners in the region.

In conclusion, *the Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security Objectives in a Changing Environment*, is the guidance for U.S. DOD developed to the Asia-Pacific region. It reiterates that freedom of navigation including maritime transportation for trade and commerce and the right to conduct non-hostile

military activities are the core U.S. interests. It asserts that the United States takes no position over competing claims in the area; however, the country encourages claimants to abide by international law systems. Despite being expressed with different tones, the Washington DC disapproves the legitimacy of the nine-dash line and denies the territorial sea around artificial islands as well as the excessive EEZ reclaimed by China. In an attempt to realize future strategy, the United States will reinforce naval strength, increase coordination with allies and partners, implement risk reduction methods when deploying and build regional institutions.

### China's Strategy

The Asia-Pacific area plays a vital role in China's security and development. China's white papers—the national voice of PRC—highlights the country's policies and strategy on the most crucial issues. The documents, *China's Military Strategy* and *China's Policies on Asia-Pacific Security Cooperation* written in 2015 and 2017, respectively, express officially the nation's interests, policies and strategy in the Asia-Pacific.

*China's Policies on Asia-Pacific Security Cooperation* provides the national opinions about how the country approaches to opportunities and challenges in the region. This document is comprised of six chapters: China's Policies and Positions on Asia-Pacific Security Cooperation, China's Security Vision for the Asia-Pacific Region, China's Relations with Other Major Asia-Pacific Countries, China's Positions and Views on Regional Hotspot Issues, China's Participation in Major Multilateral Mechanisms in the Asia-Pacific Region, China's Participation in Regional Non-Traditional Security Cooperation. The first chapter epitomizes the primary PRC policies in the area. The first

part outlines six principal solutions to safeguard the country's interests and devotion to the prosperity of the Asia-Pacific. The six solutions focus on reinforcing economic development, strengthening partnership and cooperation, creating a new model of integrational relations, improving the existing mechanism to support peace and security, promoting the importance of international laws, intensifying military exchange and suggesting a proper solution to deal with disputes and conflicts in the area.

Serving for the PRC's purposes in the Asia-Pacific, the Chinese government released *China's Military Strategy* in 2015 in an attempt to elaborate on military missions and explain how it prepares for current and future threats. In the first part "National Security Situation", the document acknowledges the significant changes in the international and regional environments. Domestically, the country faces multiple and complex security threats such as terrorism and separatism. Externally, China confronts a number of impediments and challenges especially the issues related to Taiwan Straits, Korean Peninsula and provocative actions from its neighbors.<sup>23</sup> In a brief mention of the United States' "rebalancing to Asia," Beijing refers it as a "grave concern among other countries in the region."<sup>24</sup>

The second chapter outlines the missions and strategic tasks of China's armed forces. As there have not been any significant changes in military tasks over the years to realize the "Chinese Dream", Beijing routinely emphasizes protecting the unification of

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<sup>23</sup> The People Republic of China, "China's Military Strategy," May 27, 2015, accessed March 29, 2017, [http://english.gov.cn/archive/white\\_paper/2015/05/27/content\\_281475115610833.htm](http://english.gov.cn/archive/white_paper/2015/05/27/content_281475115610833.htm).

<sup>24</sup> Ibid.



the mainland, safeguarding security overseas and new domains, maintaining strategic deterrence and carrying on nuclear counterattacks, contributing to regional and international security. In conjunction with chapter two, chapter three provides strategic guidelines regarding active defense. Like other militaries in the world, Chinese armed forces are designed to implement national security and strategy, deter and win wars.

Chapter 4 explains the future framework for the armed force's development. It seems that the People's Liberation Army-Navy has been increasingly emphasized in comparison with the other branches. The document punctuates that "in line with the strategic requirement of offshore waters defense and open seas protection, the PLA Navy (PLAN) will gradually shift its focus from "offshore waters defense" to the combination of "offshore waters defense" with "open seas protection," and build a combined, multi-functional and efficient marine combat force structure."<sup>25</sup> The message of "open seas protection" is not simply self-defense. There is a significant shift in the country's strategy. China is willing to take more risks and increase its military actions on the seas in an attempt to protect and maintain sovereignty over the maritime territory it claimed. Obviously, this change will create more tension and aggression since Beijing claims its sovereignty over eighty percent of the SCS.

*China's Military Strategy* and *China's Policies on Asia-Pacific Security Cooperation* are the PRC's national voice on the issues in the SCS. However, these documents do not define the strategy which China has actually implemented to attain the underlying real interests in the SCS. They are simply a rhetorical explanation to why the

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<sup>25</sup> The People Republic of China, "China's Military Strategy."

country needs to be more extensively armed and its aggressive actions in the SCS. Beijing argues that “China is forced to make necessary responses to the provocative actions which infringe on China’s territorial sovereignty and maritime rights and interests, and undermine peace and stability in the South China Sea.”<sup>26</sup> In an attempt to get a more profound understanding about PRC’s real interests and strategy in the SCS, the author has analyzed a peer-reviewed article titled “China's Strategy in the South China Sea” written by M. Taylor Fravel—an Associate Professor of Political Science and Member of the Security Studies Program at the Massachusetts Institute of Technology.

In the first part of the research, Taylor Fravel conducted an analysis of China’s claim and interests in the SCS. He indicates that China claims their maritime territory based on nine-dash line policy. China pursues several interests through its claims. Recognizing the strategic and economic significance over chains of islands and open waters, the country labelled the SCS as a core interest. Interestingly, it is known that “It (China) never defined the line or claimed historic rights that some scholars argue that the line indicates.”<sup>27</sup> In addition, the country has never adequately provided convincing evidence in terms of history or legitimacy over this claim. This maritime claim has been opposed by international laws and community. The research concluded that “Many of the land features that China claims in the South China Sea would not qualify as islands under

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<sup>26</sup> The People Republic of China, “China’s Policies on Asia-Pacific Security Cooperation,” January 11, 2017, accessed March 29, 2017, [http://english.gov.cn/archive/white\\_paper/2017/01/11/content\\_281475539078636.htm](http://english.gov.cn/archive/white_paper/2017/01/11/content_281475539078636.htm).

<sup>27</sup> Taylor M. Fravel, “China's Strategy in the South China Sea,” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 33, no. 3 (December 2011): 292-319, accessed March 29, 2017, Military and Government Collection, EBSCOhost.

Article 121(3) of UNCLOS and thus could not serve as the basis for a claim to an EEZ” and “States under UNCLOS cannot claim sovereignty over subsurface features independent of a land feature.”<sup>28</sup> The vagueness ostensibly makes the nine-dash line no value in the international law system.

The second part of the study focuses on China’s past approach to managing its maritime claims. Since the country submitted the nine-dash line claim to the UN in 1947, China implemented three main approaches to realize its ambition. The first one is to pursue a strategy of cooperation. It means that instead of using forces, Beijing seeks to bilaterally or multilaterally cooperate with other claimants to address tension and conflicts in the SCS. The second one, contrary with the first approach, China carries on the strategy of escalation. The battle of Parcel Islands in 1974 and Johnson (Chigua) Reef in 1988 are the most typical examples of the escalation strategy during which China forcibly took control of territory which belonged to the Vietnam’s government. The last one is a strategy of delay. This approach allows Beijing to consolidate its existing assertion and proceed gradually toward its ambition by using both civilian and military means. During the second half of twentieth century, China combined astutely three approaches in an attempt to realize its assertion in the SCS. Experiencing the substantial successes in the past, China has improved and reformed its strategy in the SCS in the twenty-first century.

Chapter 4 expresses China's current strategy in the SCS. Since China ratified UNCLOS in 1996, in an attempt to realize its strategy without overly violating

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<sup>28</sup> Fravel, “China's Strategy in the South China Sea.”

international laws and being seriously criticized by international community, China has switched its emphasis to a delaying strategy instead of escalation. The nature of delaying strategy has not changed since the beginning of the twenty-first century; however, China has reformed and reinforced it to fit in the context of new era.

In terms of diplomacy, China often reiterates that all disputes should be resolved by peaceful means and negotiation should be prioritized; nevertheless, the term “negotiation” normally refers to “negotiation in the Chinese way”. This means that China prefer bilateral talks, not multilateral ones. Beijing will take advantage of its economic and military superiority over other claimants in order to seek favorable results in bilateral talks. Moreover, the country has utilized its relations with particular countries to protect and support Beijing in international institutions and the community. The ASEAN should have played a vital role to deal with the SCS issues; nevertheless, it failed to address conflicts and disputes since China has wisely interfered and broken the organization’s unity.

The country has used its influences to prohibit commercial activity in contested waters. Since China is a giant market for most big corporations in the world, by threatening to apply economic sanctions or banning their operation in the mainland, China effectively prevents economic activities in disputed areas. For example, China issued eighteen diplomatic objections to foreign oil companies involved in exploration and development projects (in Vietnam) between 2006 and 2007.<sup>29</sup> In addition to an oil exploration ban, the country has utilized an aggressive policy to support its fishing

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<sup>29</sup> Fravel, “China’s Strategy in the South China Sea.”

activity. Fishing boats supported by armed vessels are willing to operate in contested waters even in neighbor's EEZ. Even worse, the study remarks "to exercise China's maritime rights, fisheries administration vessels often detain foreign fishing boats and their crews operating in waters that China claims." As a result, the number of confrontations at sea has significantly increased. Vietnamese fishermen suffer from bullying and aggressive actions of the Chinese South Sea Region Fisheries Administration Bureau vessels, which are heavily armed.

In addition to diplomatic and economic tools, the military component plays a secondary and indirect role in China's strategy in the SCS. China has significantly modernized its PLAN, especially the South Sea Fleet, in an attempt to create an effective deterrent tool in the SCS. China's first modern amphibious landing platform dock, and five of the seven modern destroyers were issued to the South Sea Fleet. The existing equipment and weapons of the South Sea Fleet are superior to other claimants in the SCS disputes. Through frequent exercises and patrolling missions, PLAN or, specifically, the South Sea Fleet combined with the Chinese Coast Guard and the South Sea Region Fisheries Administration Bureau are the main armed forces operating and displaying China's power in the SCS.

Taylor Fravel provided a comprehensive tool to analyze China's delaying strategy in the SCS. Combining diplomatic, economic and military means, China is trying to consolidate its existing claims over the islands and waters in the SCS as well as its position in the international community. Simultaneously, the country expands its claims with the "Salami Slicing" strategy. The purpose of Salami-slicing is to gradually accumulate gains through small but persistent provocations in the SCS. Manipulating the

“Salami Slicing,” Beijing gradually escalates its aggressive activities to other claimants. If the actions are sliced thinly enough, there are not adequate catalysts to start a serious conflict. However, these activities accumulate over time to result in a strategic change.<sup>30</sup>

In conclusion, China always fosters an ambition to virtually homogenize the SCS. The country will not give up its interests in the area. In response to the U.S. government, China will utilize the strategy of “confrontation and cooperation”. It means that Beijing, in some extent, will challenge the U.S. presence in the SCS; however, in the meantime, it will cooperate with U.S. forces to reduce potential risks in the region. The delaying strategy tied with “Salami Slicing” will be China’s primary approaches in which China applies to address disputes with other claimants in the SCS. In addition, by pleading for protecting the open seas and preventing provocative actions from other claimants, Beijing will try to justify their aggressive actions in dealing with the SCS disputes.

#### International Community Roles in Addressing the SCS Disputes

There is vagueness regarding the EEZ which is not clearly defined and explained. The UNCLOS defined the EEZ as “a maritime area beyond and adjacent to the territorial sea in which the coastal state has sovereign rights and jurisdiction. These rights are less than fully sovereignty. All states have freedoms of navigation and overflight in EEZ. The maximum breadth of the EEZ is 200 nautical miles from baselines from which the breadth of the territorial sea is measured”<sup>31</sup> In addition to the definition, the UNLCOS

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<sup>30</sup> Robert Haddick, “Salami Slicing in the SCS: China’s Slow, Patient Approach to Dominating Asia,” *Foreign Policy*, August 2, 2012, accessed November 20, 2016, <http://foreignpolicy.com/2012/08/03/salami-slicing-in-the-south-china-sea>.

<sup>31</sup> United Nations Convention on the Law of the Sea, Montego Bay, December 10, 1982, entered into force November 10, 1994, 1833 UNTS 397, arts. 2 and 3, accessed

elaborates more details on the EEZ. Article 58 in UNCLOS states that “In the exclusive economic zone, all States, whether coastal or land-locked, enjoy, subject to the relevant provisions of this Convention, the freedoms referred to in article 87 of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, and compatible with the other provisions of this Convention.”<sup>32</sup>

Currently, there is a lot of controversy over the legitimacy and excessive EEZ claims among countries in the world. EEZ remains the thorniest issue in terms of freedom of navigation not only in PACOM area of responsibility but also all over the world. Since the issue has not been addressed, two serious incidents have occurred: the 2001 mid-air collision between a U.S. Navy surveillance aircraft (EP-3) and an intercepting Chinese navy fighter, and the 2009 episode in which Chinese fishermen and paramilitary ships harassed the USNS *Impeccable*, which was conducting undersea surveillance.<sup>33</sup>

The United States believes that there is nothing in the UNCLOS which prohibits any nation’s military forces from conducting military activities in EEZs. This interpretation means that the U.S. naval forces have the right to conduct non-hostile military actions inside the EEZ of the islands China claimed in the CSC. The official U.S.

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March 2, 2017, [http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/closindx.htm](http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm).

<sup>32</sup> Ibid.

<sup>33</sup> McDevitt, “The South China Sea: Assessing U.S. Policy and Options for the Future.”

government position on this issue is spelled out in President Clinton's October 1994 transmittal of the LOS Convention to the U.S. Senate for ratification: "Military activities, such as anchoring, launching and landing of aircraft, operating military devices, intelligence collection, exercises, operations and conducting military surveys are recognized historic high seas uses that are preserved by article 58."<sup>34</sup>

Contrary to the U.S. laws on EEZ, China disagrees. The country claims that "The continental shelf of the People's Republic of China comprises the sea-bed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance."<sup>35</sup> Based on this maritime sovereignty definition, China requires that "Foreign ships for military purposes shall be subject to approval by the Government of the People's Republic of China for entering the territorial sea of the People's Republic of China."<sup>36</sup> In conclusion, Beijing states that "any nation that undertakes reconnaissance activities in

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<sup>34</sup> William J. Clinton, *Message from the President of the United States Transmitting United Nations Convention on the Law of the Sea* (Washington DC, Government Printing Office, 1994), vi.

<sup>35</sup> The People Republic of China, "Law on the Exclusive Economic Zone and the Continental Shelf of the People's Republic of China," June 26, 1998, accessed March 30, 2017, [http://www.npc.gov.cn/englishnpc/Law/2007-12/11/content\\_1383573.htm](http://www.npc.gov.cn/englishnpc/Law/2007-12/11/content_1383573.htm).

<sup>36</sup> The People Republic of China, "Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone," February 25, 1992, accessed March 30, 2017, [http://www.npc.gov.cn/englishnpc/Law/2007-12/12/content\\_1383846.htm](http://www.npc.gov.cn/englishnpc/Law/2007-12/12/content_1383846.htm).



China's EEZ without having notified China and gaining its permission is in violation of Chinese domestic law and international law.”<sup>37</sup>

Up until now, there is not an official international law system which can clearly provide a judgement for the controversy over the EEZ. However, in addition to the UNLOCS, in May 2015, for the first time, the international community issued the official voice on the issue of the SCS dispute. After three years of lawsuit, the Permanent Court of Arbitration released a one-sided award in favor to the Philippines. The peer-reviewed research titled *The South China Sea Arbitral Tribunal Award: Political and Legal Implications for China* written by Nong Hong—Executive Director of the Institute for China-America Studies (ICAS), an independent, non-profit think-tank based in Washington D.C. provided a thorough analysis of the result of the PCA and concluded that “many of China’s maritime claims in the SCS were contrary to the UNCLOS.”<sup>38</sup> According to the research, the first Chinese violation to the UNCLOS is that, “China’s claims to sovereign rights jurisdiction, and to “historic rights” with respect to the maritime areas of the SCS encompassed by the so called “nine dash line” are contrary to the Convention and without lawful effect to the extent that they exceed the geographic and substantive limits of China’s maritime entitlements expressly permitted by UNCLOS.” The international court, first, denied the legitimacy of the nine-dash line

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<sup>37</sup> McDevitt, “The South China Sea: Assessing U.S. Policy and Options for the Future,” 20.

<sup>38</sup> Hong Nong, “The South China Sea Arbitral Tribunal Award: Political and Legal Implications for China,” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 38, no. 3 (December 2016): 356-361, accessed March 29, 2017, Military and Government Collection, EBSCOhost.

claimed by China. Second, there is no entitlement to an EEZ or a continental shelf generated by any land feature claimed by China in the Spratly or Scarborough Shoal.<sup>39</sup> In other words, China has no legal ground to claim any EEZ rights on any islands in Spratly. The third implication of the court's result is to criticize and condemn the illegitimacy of Chinese building of artificial islands in the SCS. According to the UNCLOS, countries have the obligation to protect and preserve the marine environment; however, China's land reclamation activities on seven of the Spratly features had caused irreparable harm to the coral reef ecosystem and thereby, is in violation of its international treaty obligations.<sup>40</sup>

In conclusion, even though China refused to take part in the lawsuit with the position of "non-acceptance and nonparticipation", the Tribunal poured cold water on the Chinese pride and its ambition in the SCS. Presuming, China's claims over the EEZ were legitimate, these assertions would only apply to the Chinese maritime territory which are approved by the international community. Since the nine-dash line is officially rejected by the international court, obviously, China does not have legal ground to intercept freedom of navigation conducted by not only the U.S. ships and vessels but also from other nations around the Spratly and Paracel islands. Chinese maritime territory China always states that the country will deal with disputes in the SCS based on international laws. By not participating in an international court, which China has no chance to win,

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<sup>39</sup> Nong, 358

<sup>40</sup> Permanent Court of Arbitration, "The South China Sea Arbitration," 12 July 2016, accessed March 29, 2017, <https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Press-Release-No-11-English.pdf>.

and aggressive behavior in the international waters, China hesitantly disclosed its real ostensible blueprint to the international community.

#### VN-US Comprehensive Partnership and the Desire for Upgradation

In 2013, the Comprehensive Partnership Agreement was signed by the Presidents of Vietnam and the United States. The agreement focuses on five main aspects: Maritime Capacity Building, Economic Engagement, Climate Change and Environmental Issues, Education Cooperation, and Promoting Respect for Human Rights.<sup>41</sup> Maritime capacity building is emphasized to enhance the strength of coastal patrol units in Vietnam to deploy effectively and quickly conduct search and rescue, and disaster response missions. This initial laid the foundation for the naval forces of the two nations to increase their level of cooperation.

Recently-released official documents from the United States emphasizes its wish to build up a close naval relationship with Vietnam. Along with *The Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security Objectives in a Changing Environment*, *The National Security Strategy 2014* appreciates the roles of U.S. partners and allies especially Vietnam in increasing the U.S. presence and influence in the SCS. One of the key aspects to rebalancing power in the area for the United States is to seek potential partners which share common interests with the United States. Vietnam has been increasingly becoming a focal point in this policy. Similarly, Vietnam has expressed

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<sup>41</sup> U.S. Office of the Press Secretary, “Joint Statement by President Barack Obama of the United States of America and President Truong Tan Sang of the Socialist Republic of Vietnam,” June 25, 2013, accessed November 22, 2016, <https://www.whitehouse.gov/the-press-office/2013/07/25/joint-statement-president-barack-obama-united-states-america-and-preside>.

its desire to increase military cooperation with the United States especially for naval forces. In the last official visit to Vietnam, the Presidents of the two countries issued a joint statement, remarking that “Both sides agreed to further enhance the U.S.-Vietnam Comprehensive Partnership, making it deeper, more substantive, and more effective in order to better serve the interests of the two peoples for peace, stability, and cooperation in the region and the world.”<sup>42</sup>

The current comprehensive partnership between Vietnam and the United States lacks the concept to realize and expand the potential military relationship between the two nations. One of the most important purposes to determine future partners for the United States is burden sharing. The current relationship between the two nations is inadequate to help U.S. naval forces increase their presence in the SCS at a reasonable cost in the context of financial budget reduction. Similarly, Vietnam is facing serious challenges related to the SCS dispute. As a result, the country needs to strengthen and reinforce its naval armed forces to protect its land and maritime territory and contribute to the security in the region. However, due to the limitations of the comprehensive partnership, the actual projects between the two nations in terms of naval cooperation are restrained to some separate and moderate initial assistance from the United States to Vietnam. Therefore, the current relationship does not meet the requirement and has limited impacts on strengthening the naval cooperation between the two nations.

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<sup>42</sup> U.S. Office of the Press Secretary, “Joint Statement by President Barack Obama of the United States of America and President Truong Tan Sang of the Socialist Republic of Vietnam.”

The two countries succinctly express their desire to upgrade the current comprehensive partnership; however, what level of cooperation the two nations should proceed. In the book “*The rise of China vs the logic of strategy*” Edward Luttwak discusses the relationship between China and the United States as well as other factors which can influence this relation. It raises a question “defiant Vietnam: the newest American ally?”<sup>43</sup> Even though the author debates the benefits and challenges of this possibility, he cannot give a clear answer whether Vietnam will become U.S. ally or not. Even though there have been many research studies analyzing the relationship between Vietnam and the United States after the Vietnam War, none of them has suggested or proposed a framework for upgradation after the significant improvements in mutual relationship. It is necessary to conduct a research study to suggest a future relationship between the United States and Vietnam based on the current comprehensive partnership which will lay the foundation to propose a framework for naval cooperation between the two nations in the future.

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<sup>43</sup> Edward N. Luttwak, *Rise of China vs. the Logic of Strategy* (Cambridge, MA: Harvard University Press, November 2012), 145.

## CHAPTER 3

### RESEARCH METHODOLOGY

The research will be shaped by using the Army Design Methodology. In the March 2010 publication of Field Manual FM 5-0, *The Operations Process*, the U.S. Army formally introduced the Army Design Methodology (ADM) into its doctrine. In June 2015, the latest updated version was released titled Army Techniques Publication ATP 5-0.1, *Army Design Methodology*. ADM is a methodology for applying critical and creative thinking to understand, visualize, and describe complex, ill-structured problems and develop approaches to solve them.<sup>44</sup>

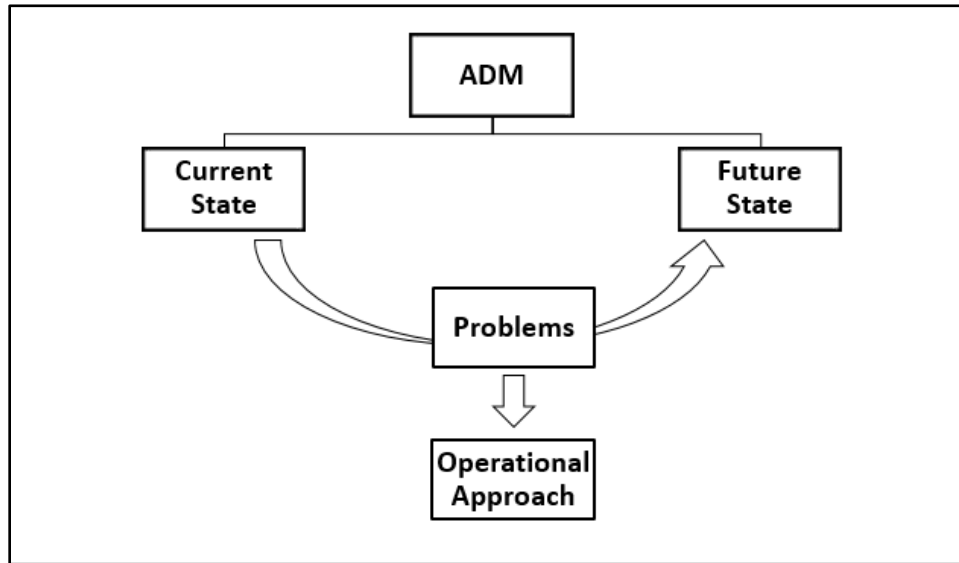


Figure 3. Operational Approach

Source: Headquarters, Department of the Army, Army Techniques Publication No. 5-0.1, *Army Design Methodology*. 5-1.

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<sup>44</sup> Headquarters, Department of the Army, Army Techniques Publication No. 5-0.1, *Army Design Methodology*.

The ADM will assist commanders and planners by defining four main aspects: current state, future state, problems and operational approach. First, ADM helps planners understand the current state of an operational environment or answer the primary question: what is going on in an operational environment. Then it will project how an operational environment may trend and discern desired future states of other actors and envision a desired end state. In the third step, framing problem will help analyze the issues or obstacles that makes it difficult to achieve a desired goal or objective. Finally, an operational approach—a description of the broad actions—will be developed to transform current conditions into desired end state.<sup>45</sup> The methodology allows commanders and planners to comprehend the current environment, discern future state, and develop a workable solution to reach the desired end states. The ADM is a primary analytical methodology the author applies to the research.

In the first part of chapter 4—defining the current environment—the author utilizes RAFT abbreviated by relationships, actors, functions, and tensions to analyze the current naval relationship between Vietnam and the United States and develop a contextual understanding about the current situation in the SCS. ATP 5.01 suggests using PMESII-PT consisting of eight elements: political, military, economic, social, information, infrastructure, physical environment, and time as a default framework to define the current environment. In many cases, PMESII-PT offers commanders and staff group a useful tool to perceive current operational environment. However, in essence, PMESII-PT is a filter in which commanders and staff groups analyze and place relevant

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<sup>45</sup> Longabaugh, “Explaining The Army Design Methodology.”

information it into eight categories. In complex problems, the relationships among actors have many facets, and they differ depending on the scale of interaction and temporal aspects (history, duration, type and frequency). Most events and facts are inextricably interwoven. It is insufficient to separate and filter them exclusively into eight categories. PMESII-PT is a good tool to develop an initial understanding about the current operational environment; nevertheless, it is inadequate to perceive profoundly situations especially when there are more than two actors interacting in the operational environment. As a result, instead of utilizing PMESII-PT, the author analyzes the current operational environment based on the RAFT and DIME frameworks. To begin with, the author will analyze each actor under the lenses of diplomacy, information, military and economy. Then by separating each player, the research can dig deeply into each actor's interests and strategies, as well as, their strengths and weaknesses. Finally, the research will highlight tensions and relations among these actors to provide a comprehensive picture of the current situation in the SCS.

The desired naval cooperation between Vietnam and the United States will be analyzed in chapter 4. Since Vietnam and the United States signed a Comprehensive Partnership Agreement in 2013, the author will consider the two potential of higher relationships for future naval cooperation between Vietnam and the US, namely strategic partnership or alliances. As the relation between the Vietnam and the United States will have undesired effects on the two countries as well as other actors in the area, the author will evaluate risks based on a feasibility, suitability, and acceptability analysis.

Since the “three-legged stool” model of strategy, which is comprised of ends, ways and means, was developed by Arthur F. Lykke, Jr, it has been tested and proven to



be an effective tool to analyze strategy. According to Lykke, the more imbalance that exists among ends, ways, and means, the greater chance that risks will be created. By breaking a strategy into its component parts, Lykke insisted that any strategy can be examined by the suitability, feasibility, and acceptability criteria.<sup>46</sup> The FSA analysis will answer three main questions.

Suitability: Will a strategic relationship or an alliance partnership accomplish the desired strategy of Vietnam and the United States?

Feasibility: Can the desired relationship be accomplished by the available means/resources?

Acceptability: Are the consequences of cost justified by the importance of the desired relationship?

Desired future naval relationship between the two countries will be determined based on the answers to each question. A desired future relationship must have “yes” for all of the three questions above. In contrast, if any answer to these questions is “no”, the risk is too excessive and that future relationship is inaccessible.

Chapter 5 will suggest a framework to help Vietnam and the United States proceed and upgrade the current naval cooperation to the desired relationship determined in the chapter 4. After determining the aspects of the current environment that can be targeted for changes in order to favor VN-US relations and interests without overly antagonizing other regional players, the author will suggest three groups of solutions: removing, changing and providing. First, if the problems in the comprehensive

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<sup>46</sup> Richard Yarger, “Towards A Theory of Strategy” *Air War College*, accessed December 18, 2016, <http://www.au.af.mil/au/awc/awcgate/army-usawc/stratpap.htm>.

partnership are not required in the desired relationship, then those problems need to be removed. Second, if the problems cannot be removed, then the next group of solutions will attempt to change those issues and make them so that they are no longer obstacles. Lastly, if the problems are something that is missing in the desired relationship, the last group of solutions will need to provide the missing components.

## CHAPTER 4

### DESIRED VN-US NAVAL COOPERATION

According to ATP 5-0.1, Army Design Methodology, one way to develop an understanding of an operational environment is from a systems perspective. To develop this systems perspective, the planning team identifies and discerns the relationships among relevant variables and actors in an operational environment.<sup>47</sup> There are a variety of methods constructing system perspective to understand the environment. In research analysis, the author will utilize RAFT framework comprised of four main factors: relationships, actors, functions, and tensions to analyze the current naval relationship between Vietnam and the United States and develop a contextual understanding about the current situation in the SCS. However, in order to make the framework more understandable, the research will interpret the framework with the order of actors, relationships, tensions and functions.

#### Understanding Current Environment

##### Actors

Vietnam and the United States are the primary actors for naval cooperation between the two countries. However, since one of the main aspects for the future relationship is determined by SCS security, the current and future naval VN-US relationship will be impacted by seven main players related to the dispute in the region: China, Taiwan, Indonesia, the Philippines, Malaysia, Brunei and Vietnam. As Republic

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<sup>47</sup> Headquarters, Department of the Army, Army Techniques Publication No 5-0.1, “*Army Design Methodology*,” 3-3.

of China (Taiwan) and the government of the People's Republic of China (PRC) share the same interests in SCS, the actors can be grouped into four main categories: Vietnam, the United States, China, and ASEAN. In this part, the research will analyze four groups of actors based on DIME framework which is characterized by diplomatic, information, military, and economy. Joint Publication 1, *Doctrine for Armed Forces of the United States*, consider DIME model to be a useful tool to interpret the national power of a nation.

### The Socialist Republic of Vietnam

In terms of diplomatic, Vietnam is one of the five communist countries remaining in the world. Today Vietnam has established diplomatic relations with nearly 170 countries. After the economic reform in 1986, Vietnam has carried out a policy of open, multilateral and diverse relations, and active integration with the world community<sup>48</sup>. Regarding to territory issue, Vietnam pursues a long-term and consistent strategy in the SCS.

“The National Assembly reiterates Viet Nam's sovereignty over the Hoang Sa (Paracel) and Truong Sa (Spratly) archipelagoes and its position to settle those disputes relating to territorial claims as well as other disputes in the Eastern Sea (SCS) through peaceful negotiations in the spirit of equality, mutual respect and understanding, and with due respect of international law, particularly the 1982 United Nations Convention on the Law of the Sea, and of the sovereign rights and jurisdiction of the coastal States over their respective continental shelves and exclusive economic zones; the concerned parties should, while exerting active efforts to promote negotiations for a fundamental and long-term solution,

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<sup>48</sup> Embassy of the Socialist Republic of Vietnam in the United States of America, “History of Vietnam's Diplomacy” accessed October 14, 2016, <http://vietnamembassy-usa.org/Vietnam/geography>.

maintain stability on the basis of the status quo, refrain from any act that may further complicate the situation and from the use of force or threat of force.”<sup>49</sup>

Vietnam’s naval power includes the Vietnam People’s Navy and Vietnam People’s Coast Guard. The Vietnam People’s Navy is the core service in protecting Vietnam’s maritime sovereignty. The navy’s responsibility is: to strictly manage and control the waters and islands in the East Sea (SCS) under Vietnam’s sovereignty; to maintain security; to counter any acts of violating sovereignty, sovereign rights, jurisdiction, and national interests of Vietnam at sea; to secure normal activities of Vietnam in its waters and islands in conformity with Vietnamese and international laws; to ensure maritime safety and participate in search-and-rescue operations in accordance with Vietnam’s laws and the international conventions adopted by Vietnam; and to be ready for joint and combined operations to defeat any aggression from and at sea.<sup>50</sup>

The Vietnam Coast Guard (also known as Maritime Police) is actually one branch of the Vietnam People’s Army—and under the Ministry of National Defense administration.<sup>51</sup> The Maritime Police force is equipped with vessels capable of enforcing the laws related to sovereignty, sovereign rights, and jurisdiction in Vietnam’s waters. All activities of the Vietnam Maritime Police are directly organized, managed, and operated

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<sup>49</sup> Division for Ocean Affairs and the Law of the Sea, “Ocean and Law of the Sea United Nations,” Vietnam, October 29, 2013 accessed November 22, 2016, [http://www.un.org/depts/los/convention\\_agreements/convention\\_declarations.htm#Viet\\_Nam\\_Upon\\_ratification](http://www.un.org/depts/los/convention_agreements/convention_declarations.htm#Viet_Nam_Upon_ratification).

<sup>50</sup> Vietnam Minister of Defense, 57.

<sup>51</sup> Ibid.

by the Ministry of National Defense.<sup>52</sup> The Vietnam Coast Guard plays an important role in maintaining sea security and protection of the EEZ and continental shelf boundary. The Vietnam Coast Guard is responsible for maintaining sea security, protecting the exclusive economic zone, and providing protection and assistance to local fishermen when necessary. In addition, the Vietnam Coast Guard performs search and rescue duties, along with their duties of combating and preventing smuggling, piracy, and trade fraud in Vietnamese waters.

Economically, since the Reform in 1986, Vietnam has become one of the countries in the world with sustainable economic development. Being a member of international economic organizations like WTO or APEC, Vietnam has attracted a great amount of foreign investment and become one of the most important factories. The country also establishes economic trade relations with 165 countries and territories, signed trade agreements with 76 countries. ASEAN, the United States, China, Japan and South Korea are the five biggest partners of Vietnam. Of the five China is still Vietnam's largest trading partner.

#### The United States of America

Beginning with diplomacy, the United States has a long history of interests in the SCS. To Washington DC, freedom of navigation in the SCS is one of the U.S. most enduring interests. The freedom of navigation combines two distinctive concepts: the

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<sup>52</sup> Global Security Institute, "Vietnam Coast Guard – Modernization," accessed November 22, 2016, <http://www.globalsecurity.org/military/world/vietnam/marine-police-modernization.htm>.

freedom of maritime transportation for trade and commerce and the right to conduct non-hostile military activities in the SCS.<sup>53</sup>

In terms of economy, although the United States has recovered from the recession in 2008, the country is still the biggest economy in the world with the contribution of 16.7% to the world's economy.<sup>54</sup> The U.S. dollar is the most used currency for international transactions. Although the United States maintains its leading position in the next several years, China is predicted to overtake the country near future. In addition to being competitors, the two countries depend on each other to develop their national economy. China is one of the most important exporting market for the United States. Moreover, the U.S. economy depends significantly on China whose manufacturing industries are crucial for biggest companies like Apple, Intel, IBM or Dell.

In terms of military, the U.S. PACOM maintains a sustainable presence in the SCS. By 2020, the United State will have stationed sixty percent of U.S. Navy assets in the Pacific.<sup>55</sup> The real issue which has formidable effects on the United States is if China objects to any military actions inside the EEZ of the islands they claim. In the long term, Beijing's territorial claim will reduce and deter the U.S. ability to project power in not just only Pacific Ocean, but also impact the country's global strategy.

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<sup>53</sup> McDevitt, "The South China Sea: Assessing U.S. Policy and Options for the Future"

<sup>54</sup> Mike Patton, "China's Economy Will Overtake the U.S. In 2018," *the Forbes News*, April 29, 2016, accessed March 30, 2017, <https://www.forbes.com/sites/mikepatton/2016/04/29/global-economic-news-china-will-surpass-the-u-s-in-2018/#1c0491a5224a>.

<sup>55</sup> Secretary of Defense, *Quadrennial Defense Review* (Washington, DC: Government Printing Office 2010), 34.

Mentioning informational concern, the United States has two legal grounds on which they rebut China's aggressive approach. First, an EEZ is a sea zone prescribed by the UNCLOS over which a state has special rights regarding the exploration and use of marine resources, including energy production from water and wind.<sup>56</sup> This article mentions solely the non-military actions, like economic activities or energy production, and excludes the activities related to military operations. Second, in July 2016, the Permanent Court of Arbitration reached the final decision which rejected the scope of China's territorial claim in SCS. However, China disagrees with these statements and continues to pursue their aggressive policy in SCS. These actions hinder the PACOM operations in SCS. The United States has substantial interests in the SCS and will continue its long-term strategy of building close relationship with other nations in the SCS.<sup>57</sup>

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<sup>56</sup> United Nations, "Part V - Exclusive Economic Zone, Article 56," *Law of the Sea*, accessed November 18, 2016, [http://www.un.org/depts/los/convention\\_agreements/texts/unclos/part5.htm](http://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm).

<sup>57</sup> The United States, *National Security Strategy* (Washington, DC: Government Printing Office, 2015).



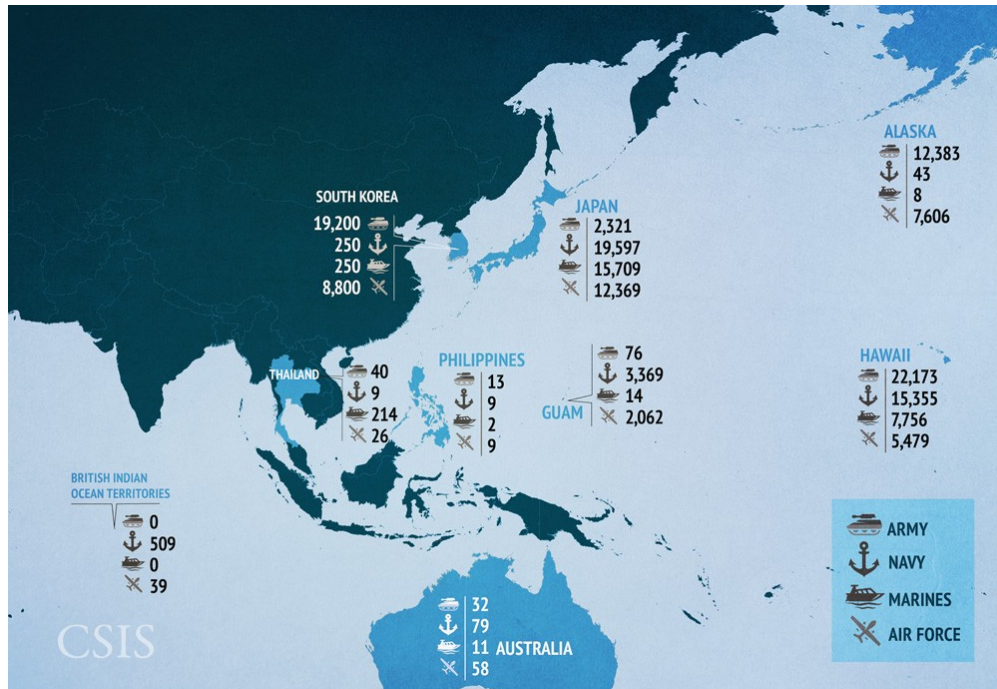


Figure 4. The United States Military Personnel in East Asia

*Source:* The Asia Maritime Transparency Initiative, “18 Maps that Explain Maritime Security in Asia,” Center for Strategic and International Studies, 2014, accessed November 22, 2016, <http://amti.csis.org/atlas>.

### The People's Republic of China

China is one of the most critical actors who can have great impacts on the VN-US naval cooperation. In terms of diplomacy, PRC claims by far the largest portion of territory—an area defined by the nine-dash line. The country decisively asserts its undeniable territorial sovereignty over eighty percent of the SCS.

In terms of information, failing to recognize the importance of seas to the country economy and security, China learned bitter lessons in World War II. In addition, witnessing the vital geostrategic contribution of Caribbean Base and Gulf of Mexico to

the U.S. economy and security, China wishes to replicate this model.<sup>58</sup> China finds the SCS the similar situation with Caribbean and decisively wants to occupy this invaluable maritime territory.<sup>59</sup> Wishing a hegemonic position to control the vast area in the SCS, China claims the largest portion of territory—an area defined by the nine-dash line. Since China first submitted the request for the nine-dash line territorial claim to the United Nations in 1947, Beijing tried to provide historical evidence to support its territorial claim despite the fact that the proof provided has no legal and scientific basis and has never been recognized by the international community.

Militarily, in order to realize their ambition, PRC has escalated their aggressive actions in the SCS. The delaying strategy tied with “Salami Slicing” are China’s primary approaches in which China applies to address disputes with other claimants in the SCS. In addition, China usually militarizes disputes by non-militarized forces. They mainly use the National Coast Guard to deal with the disputes in the SCS. Nevertheless, the fact is that the Coast Guard Ships are equipped with much heavier weapons in comparison with those used by other claimants. Similarly, China’s government utilizes its forces which overwhelm its neighbors with the intent of changing the status quo in the SCS. However, these activities accumulate over time to result in a strategic change.<sup>60</sup> Initially China tried to convince international community that the construction of artificial islands in Spratly is

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<sup>58</sup> James R. Holmes, “Strategic Features of the South China Sea,” *Naval War College Review* 67, no. 2 (2014): 30-51, accessed October 22, 2016, Military and Government Collection, EBSCOhost.

<sup>59</sup> Kaplan, “The South China Sea Is the Future of Conflict”

<sup>60</sup> Haddick, “Salami Slicing in the SCS: China’s Slow, Patient Approach to Dominating Asia.”

a normal action for civilian purposes; however, in essence, Beijing has started to build airstrips on those islands, which would give the country three airstrips in the Spratly islands.<sup>61</sup>

In terms of economy, China has a socialist economy and is a second largest economy by GDP. China is the largest manufacturing economy and a global hub for manufacturing, which attracts a lot of international companies and corporations. Annually, China is the largest exporter of goods in the world.<sup>62</sup> In addition, China is one of the most crucial economic partners to countries in the world, especially ASEAN countries.

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<sup>61</sup> Derek Watkins, "What China Has Been Building in the SCS," *the New York Times*, February 29, 2016, accessed November 22, 2016, [http://www.nytimes.com/interactive/2015/07/30/world/asia/what-china-has-been-building-in-the-south-china-sea.html?\\_r=0](http://www.nytimes.com/interactive/2015/07/30/world/asia/what-china-has-been-building-in-the-south-china-sea.html?_r=0).

<sup>62</sup> David Sims, "China Widens Lead as World's Largest Manufacturer," *the Industry News*, March 3, 2014, accessed December 19, 2016, <http://news.thomasnet.com/imt/2013/03/14/china-widens-lead-as-worlds-largest-manufacturer>,

## Association of Southeast Asian Nations (ASEAN)

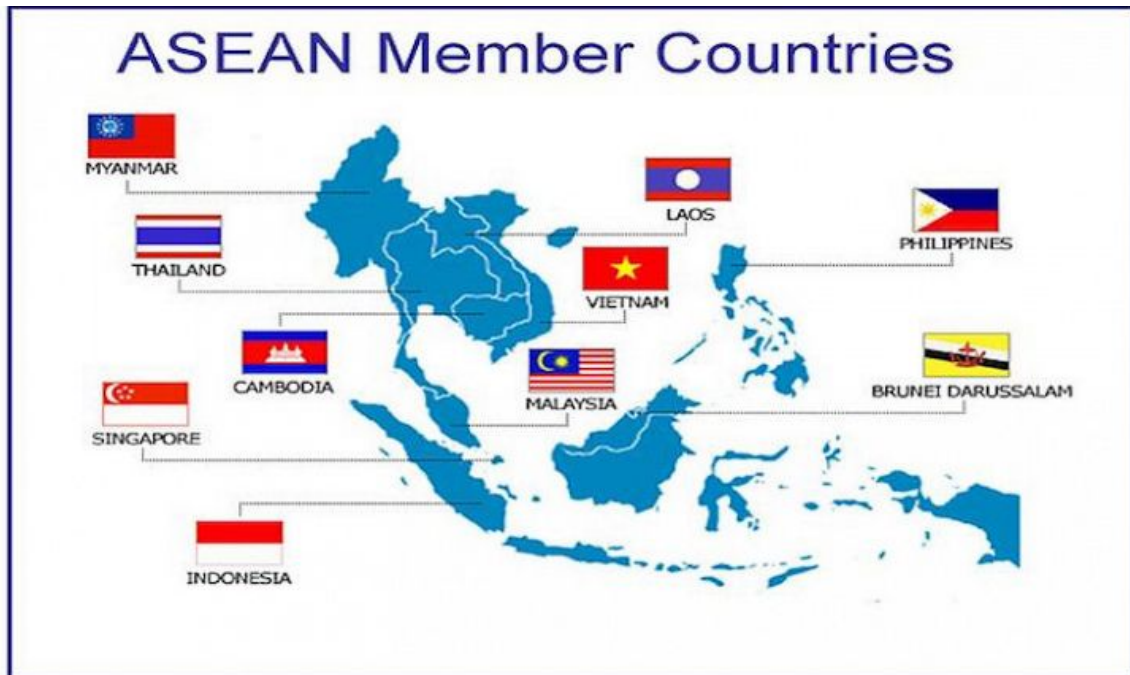


Figure 5. Ten ASEAN countries

Source: Valnet Inc, "ASEAN countries," March 20, 2017, *Worldatlas*, accessed March 27, 2017, <http://www.worldatlas.com/articles/asean-countries.html>

The Association of Southeast Asian Nations (ASEAN) was established in 1967 with initially five members. After fifty years of operation, ASEAN expanded to ten members, namely Indonesia, Malaysia, the Philippines, Singapore, Thailand, Brunei, Cambodia, Laos, Myanmar, and Vietnam. In terms of population, there are approximately 625 million people living in ASEAN countries, accounting for 8.8% of the world's population.

In 2015, ASEAN countries created 2.8 trillion dollars of GDP. If ASEAN were a country, it would rank as the sixth biggest economy in the world.<sup>63</sup> Serving as an organization to enhance economic growth, social cohesion, and cultural development in South East Asia, ASEAN has increasingly become an important multinational organization in the region and all over the world.<sup>64</sup>

ASEAN does not have a cooperative military force; however, countries in ASEAN maintain a close defense relationship. Even though five countries—Vietnam, the Philippines, Brunei, Malaysia and Indonesia—are involved in the SCS dispute, there are not any conflicts among these nations. In 2012, the ten nations in ASEAN and China signed a “Declaration on the Conduct of Parties in the South China Sea.” Mainly focused on recognizing the 1982 UN Convention on the Law of the Sea, thereby encouraging a peaceful solution to deal with disputes and maintaining the status quo in the SCS, the agreement was a breakthrough which paved the way to mitigate conflicts and created a legal base to address the disputes in the SCS.

## Relationships

### Relationship between Vietnam and the United States

In 2015, Vietnam and the United States celebrated the 20<sup>th</sup> anniversary in normalizing relationship between the two countries. The frozen naval cooperation between the two countries after the Vietnam War has been warmed by port visits

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<sup>63</sup> ASEAN Secretariat, “ASEAN Economic Community at a Glance,” September 2015, accessed November 24, 2016, <http://www.asean.org/wp-content/uploads/2015/12/AEC-at-a-Glance-2015.pdf>.

<sup>64</sup> Valnet Inc, “ASEAN countries.”

conducted by U.S. Navy ships. In 2003, the USS *Vandergift* conducted a historic port visit to Vietnam, marking the first time a U.S. Navy ship has visited the country in 30 years (after the Vietnam War).<sup>65</sup> Since this remarkable visit, Vietnam's ports have welcomed a number of the U.S. ships, including guided-missile frigates, Military Sealift Command supply ships, and Navy warships. In 2012, the U.S. Secretary of Defense Leon Panetta's stopover in Cam Ranh Bay made him the first U.S. senior official to visit a military harbor in Vietnam since the war.<sup>66</sup> Port visits have become the vital factor to boosting trust and paving the way to increased naval cooperation between the two countries.

The other driver which helps to construct the relationship is the International Military Education and Training (IMET) program. The IMET program is a key component of the U.S. Security Cooperation Program. The IMET program provides funding to train military and civilian leaders of foreign countries, primarily at schools and facilities in the United States. Military training provided under the IMET program is professional and non-political, exposing foreign students to U.S. military organizations, procedures and the manner in which military organizations function under civilian

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<sup>65</sup> Lt. Cmdr. J.D. Gordon, "USS Vandergift Concludes Historic Port Visit to Vietnam," The United States Navy, November 27, 2003, accessed November 22, 2016, [http://www.navy.mil/submit/display.asp?story\\_id=10767](http://www.navy.mil/submit/display.asp?story_id=10767).

<sup>66</sup> Jim Garamone, "Panetta's Cam Ranh Bay Visit Symbolizes Growing U.S.-Vietnam Ties," US Department of Defense, June 2012, accessed November 22, 2016, <http://archive.defense.gov/news/newsarticle.aspx?id=116597>.

control.<sup>67</sup> Since 2005, Vietnam has sent their officers to attend training courses in U.S. military schools. In 2013 the first Vietnamese officers began studying the Command and General Staff College and Army War College in the United States. Additionally, the two countries are conducting more decisive actions to encourage naval cooperation. In 2015, the United States provided 18 million dollars in an attempt to assist the Vietnam Coast Guard in strengthening their capability. This was the first step to solidify the agreement between the two countries' leaders. Secretary of Defense Ashton B. Carter expressed confidence that this change would benefit both nations.<sup>68</sup>

In addition to defense cooperation, the two countries have increasingly cooperated in trading partnership. Since the U.S. trading sanctions were lifted on Vietnam in 1994, a new horizon has opened for economic development between the two nations. The first trading agreement signed in 2004 combined with Vietnam became a member of WTO in 2007 brought a surge in trading relationship between Vietnam and the United States. Today, the United States is the single largest importer of Vietnam's products and Vietnam has become primary destination for U.S. companies to open and expand factories in the world.

The United States and Vietnam signed "The Memorandum of Understanding on Advancing Bilateral Defense Cooperation" in 2011 and the "U.S.-Vietnam Joint Vision

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<sup>67</sup> Department of States, "Military Assistance: International Military Education and Training Foreign Military Financing Peacekeeping Operations," accessed December 16, 2016, <https://www.state.gov/documents/organization/3961.pdf>.

<sup>68</sup> Aaron Mehta, "US Providing Vietnam \$18M for Coast Guard Vessels," *Defense News*, June 1, 2015, accessed November, 22, 2016, <http://www.defensenews.com/story/defense/policy-budget/budget/2015/06/01/us-providing-vietnam-18m-in-coast-guard-vessels/28290871/>.

Statement on Defense Relations” in 2015 which laid the foundation for enhancing security and defense cooperation between the two countries.<sup>69</sup> In July 2013, Presidents Barack Obama and Truong Tan Sang strengthened the relationship by launching the US-Vietnam Comprehensive Partnership, an overarching agreement for advancing the bilateral relationship.<sup>70</sup>

### Relationship between Vietnam and China

Vietnam and China share many similarities. They are two of the five remaining communist countries in the world and share a lot of common traditions and customs. In the WWII era, the two countries were united against the Japanese invasion. During Vietnam’s first and second Indochina War, China provided the VPA considerable logistical and military assistance.<sup>71</sup>

In 1991, Vietnam-China relations were normalized after twelve years of frozen relationship due to the Sino-Vietnam War in 1979. Since then, the two countries have taken substantial steps to strengthen the relationship. In March 1999, the two Party General Secretaries, Jiang Zemin and Le Kha Phieu, signed the “16-Character Guidelines” featured by “long-term, stable, future-orientated, and all-round cooperative

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<sup>69</sup> U.S. Office of the Press Secretary, “Joint Statement by President Barack Obama of the United States of America and President Truong Tan Sang of the Socialist Republic of Vietnam.”

<sup>70</sup> Office of the Spokesperson, “U.S.-Vietnam Comprehensive Partnership,” Department of State, December 16, 2013, accessed October 23, 2016, <http://www.state.gov/r/pa/prs/ps/2013/218734.htm>.

<sup>71</sup> Hiep Le Hong, “Vietnam in 2015 Challenges Persist amidst Hope for Change,” *Southeast Asian Affairs* (January 2016): 363-378, accessed October 17, 2016, Military and Government Collection, EBSCOhost.



relation.”<sup>72</sup> The guidelines lay the foundation to develop a new level of the two countries’ relations. China is a large trading partner of Vietnam, with a total import and export value of 50.21 billion dollars in 2014.<sup>73</sup> China is one of the most important export markets for Vietnam’s goods. In addition, China has been one of the crucial countries providing Vietnam with Official Development Assistance (ODA). China has implemented 913 investment projects in Vietnam, with a total registered capital of approximately 4.7 billion USD.<sup>74</sup>

#### Relationship between China and the United States

The economic interdependence is a focal point in the relationship between the United States and China—the two largest economies in the world. On April 6, 1971, China’s ping-pong team invited members of the U.S. team to China, known as “Ping Pong Diplomacy,” a warm signal to heal the frozen relationship between the two countries after China’s independence in 1949. The U.S. President, Richard Nixon, paid

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<sup>72</sup> Kong Quan, “Foreign Ministry Spokesperson Kong Quan’s Comment on the 55th Anniversary for the Establishment of Diplomatic Relations between China and Vietnam,” Embassy of the People’s Republic of China in the United States of America, January 19, 2005, accessed November 22, 2016, <http://www.china-embassy.org/eng/fyrth/t180390.htm>.

<sup>73</sup> Ky Hong, “China tops list of Viet Nam trade partners,” *Vietnam News*, February 24, 2014, accessed November 23, 2016, <http://vietnamnews.vn/economy/251510/china-tops-list-of-viet-nam-trade-partners.html#kqKjqyK0EFQPfBzP.99>.

<sup>74</sup> Minh Binh Pham, “CP of Vietnam, building strategic, comprehensive partnerships - Vietnam’s soft power,” Solidnet.org, accessed November 23, 2016, <http://solidnet.org/vietnam-communist-party-of-vietnam/cp-of-vietnam-building-strategic-comprehensive-partnerships-vietnams-soft-power-en>.

an official visit to Beijing in 1972, which paved the way to normalize the relationship.<sup>75</sup> However, normalization of relations between the two countries made slow progress until 2000, when U.S. President Bill Clinton signed the US-CN Relations Act, granting Beijing permanent normal trade relations with the United States.<sup>76</sup>

China has enjoyed a surge in economic development. Since August 2010, China has been the second-largest economy in the world. In 2014, total US-CN trade was 592 billion dollars. China is the United States second largest trading partner, third largest export market, and biggest source of imports.<sup>77</sup> Moreover, since 2008 China has surpassed Japan to become the largest holder of U.S. debt, with 1.24 trillion USD worth of U.S. Treasury bonds in December 2014. Similarly, the United States stands, after the European Union, as the second biggest export market for China's goods.

#### Relationship between ASEAN and China

China is one of the most crucial economic partners with ASEAN, as well as with each country in the organization. The ASEAN—CN Free Trade Area (ACFTA), also known as ASEAN-CN Free Trade Area, is a free trade area among the ten member states of the ASEAN and PRC. The initial framework agreement was signed on 4 November

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<sup>75</sup> Council on Foreign Relations, "Nixon Visits China," accessed November 24, 2016, <http://www.cfr.org/china/us-relations-china-1949---present/p17698>.

<sup>76</sup> President of the Senate. "H.R. 4444 (106th): China Trade Bill." United States of America, October 7, 2000, accessed November 22, 2016, <https://www.govtrack.us/congress/bills/106/hr4444/text>.

<sup>77</sup> Leon Whyte, "US-China: Mutually Assured Economic Destruction?" *The Diplomat*, May 2015, accessed November 22, 2016, <http://thediplomat.com/2015/05/u-s-china-mutually-assured-economic-destruction/>.

2002. The agreement covers the largest tax-free area in terms of population and third biggest in terms of GDP.<sup>78</sup>

Bilaterally, China is one of the most important exporting markets, as well as investors, for the ten nations. Inside ASEAN, China has strengthened its roles in the socio-economic development of Cambodia and Laos. PRC became Cambodia's primary trading partner, largest source of foreign direct investment, and top provider of development assistance and soft loans. In addition, China is the most important strategic partner to Cambodia, with generous amounts of military assistance.<sup>79</sup> China has invested in a large number of projects to upgrade infrastructure in Laos and sent financial support packages to its neighbor.

## Tensions

### Tensions between Vietnam and China

The relationship between Vietnam and China has been turbulent and complicated. Vietnam was dominated by Chinese Imperials for almost one millennium, from 257 BC to 938AD. During the period under the rule of various royal dynasties in Vietnam from 939 to 1858, Vietnam had to constantly fight against the Chinese imperial invaders to protect its border. The relationship worsened after the Vietnam War ended. In 1979, Beijing gave their support to the Khmer Rouge in Cambodia to oppose Vietnam. While

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<sup>78</sup> Walker, Andrew, "China and Asean free trade deal begins," *BBC News*, 1 January 2010, accessed November 26, 2016, <http://news.bbc.co.uk/2/hi/business/8436772.stm>.

<sup>79</sup> Cheunboran Chanborey, "Cambodia's Strategic China Alignment," *The Diplomat*, July 2015, accessed November 26, 2016, <http://thediplomat.com/2015/07/cambodias-strategic-china-alignment/>.

the war between the VPA and Khmer Rouge broke out in the Southwest, China waged an attack known as the Sino-Vietnamese War to the North of Vietnam, resulting in a frozen Hanoi-Beijing relationship.

In terms of sea territorial disputes, in 1974 China forcibly took control of the Parcel islands from the former Republic of Vietnam (South Vietnam).<sup>80</sup> Fourteen years later, on March 14, 1988, the Chinese Navy attacked Johnson South Reef, which was previously inhabited by the Vietnam's government in the Spratly Islands. The battle ended with sixty-four Vietnamese soldiers being killed by Chinese Navy ships in Johnson South Reef. By the end of 1988, China had occupied six reefs and atolls in the Spratly Islands.<sup>81</sup>

Currently, the tensions between the two countries have originated over SCS disputes. China has increasingly intimidated and created conflicts with Vietnamese fishermen and companies while they conduct their legal economic actions and fishing in Vietnam's EEZ. On May 3, 2014, China's Maritime Safety Administration announced that HD-981, a semi-submersible oil platform owned and operated by the China National Offshore Oil Corporation, would conduct operations in the disputed sea area in the SCS. The drill work of HD-981 is within a three mile radius of 15-29.58N 111-12.06E, approximately 120 nautical miles east of Vietnam's coast, and 180 nautical miles south of

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<sup>80</sup> Mark E. Manyin, *U.S.-Vietnam Relations in 2014: Current Issues and implications for U.S. Policy* (Washington, DC: Library of Congress, 2014), 9.

<sup>81</sup> Min Gyo Koo, *Island Disputes and Maritime Regime Building in East Asia*. (Dordrecht: Springer; 2010), 154.

China's Hainan Island.<sup>82</sup> In addition, Beijing continues to construct artificial islands in SCS, which violates the bilateral agreement between the two countries and UNCLOS.

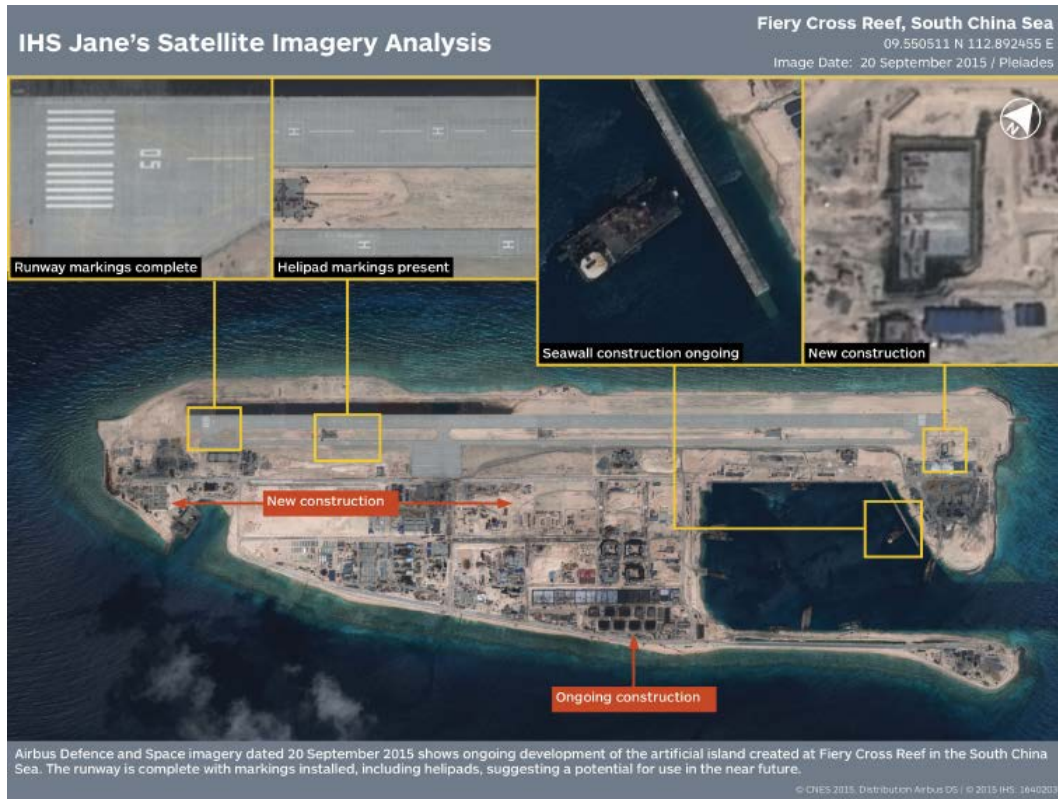


Figure 6. China Building Artificial Islands

*Source:* Sentinel Security Assessment, “Vietnam–Navy,” updated March 2, 2017, accessed March 8, 2017, <https://janes.ihs.com/SouthEastAsia/Display/1767528>. (Airbus Defence and Space imagery dated 20 September 2015 shows China's ongoing development of the artificial island created at Fiery Cross Reef in the South China Sea. Fiery Cross is Beijing's largest base in the Spratly Islands.)

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<sup>82</sup> Office of the Secretary of Defense, “Annual Congress Report: Military and Security Developments Involving the People’s Republic of China 2014,” accessed November 23, 2016, [http://archive.defense.gov/pubs/2014\\_DoD\\_China\\_Report.pdf](http://archive.defense.gov/pubs/2014_DoD_China_Report.pdf).

## Tension between China and the United States

The history between the PRC and the United States has showed number of incidents resulting in tensions between the two countries. During the Korean War (1950-1953), Chinese forces and the U.S. armed forces engaged in open conflicts from 3 November 1950 to 24 January 1951.<sup>83</sup> China opposed the United States during the Taiwan Strait Crisis in 1954, 1956, and 1996. During the Kosovo War, NATO mistakenly bombed the Chinese embassy in Belgrade in May 1999 and China blamed the United States for this deadly incident. Even though NATO made an apology to Beijing, thousands of Chinese demonstrators protested throughout the country, attacking official U.S. property.<sup>84</sup> In April 2001, one U.S. EP-3 reconnaissance plane and a Chinese fighter jet collided in the SCS, resulting in the death of a Chinese pilot. The accident aggravated political and military tensions between the two countries.<sup>85</sup>

Recently, the SCS dispute and the nuclear problem in North Korea have been the most contentious issues facing the two countries. While the United States has brought the issues of nuclear tests and the need of international sanctions on North Korea to the United Nations several times, PRC vetoes most of the resolutions. In addition, the United

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<sup>83</sup> John S. Brown, "The Chinese Intervention: 3 November 1950-24 January 1951," U.S. Army History, October 3, 2003, accessed November 22, 2016, <http://www.history.army.mil/brochures/kw-chinter/chinter.htm>.

<sup>84</sup> Interactives, "U.S.-Sino Spy Plane Standoff," *Council on Foreign Relations*, accessed November 24, 2016, <http://www.cfr.org/china/us-relations-china-1949---present/p17698>.

<sup>85</sup> Patrick Martin, "Spy plane standoff heightens US-China tensions," World Socialist Website, April 2001, accessed November 22, 2016, <https://www.wsws.org/en/articles/2001/04/spy-a03.html>.

States government consistently requests the halt of Beijing's controversial land reclamation efforts in the SCS; nevertheless, PRC either ignores the requests or claims those actions are for civilian purposes. Regarding the maritime territorial dispute, the tensions between the two countries focus on freedom of navigation. While China protests and deters any military actions inside its EEZ, U.S. vessels continue routine operations and surveillance. Several incidents have occurred between the U.S. Navy and PLAN in the SCS. In 2009, the USNS *Impeccable* and the USNS *Victorious* were harassed and threatened by PLAN ships and aircraft equipped with heavy weapons. In May 2016, at least two Chinese J-11 tactical aircraft intercepted a U.S. EP-3 reconnaissance aircraft while conducting a routine mission in international airspace over the SCS.<sup>86</sup> These actions have exacerbated the tensions between the United States and China in recent years.

#### Tension between Vietnam and the US

The tensions between Vietnam and the United States resonate in the Vietnam War (1964-1973) and its legacies. The Vietnam War took the lives of more than three million Vietnamese nationals. Seven billion tons of bombs were dropped on Vietnam, twice the number used in WWII in Europe and Asia. During the Vietnam War, 58,220 U.S. soldiers were killed and 304,000 were wounded. The Vietnam War marked a dark period in the history of the two countries.

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<sup>86</sup> Jamie Crawford, "Pentagon: 'Unsafe' intercept over SCS," *CNN News*, May 18, 2016, accessed November 24, 2016, <http://www.cnn.com/2016/05/18/politics/pentagon-south-china-sea-intercept/>.

The US-VN relationship had been frozen after the war until the end of twentieth century. The legacies of the Vietnam War, especially POWs and Agent Orange, created a stumbling block preventing the two countries from normalizing the relationship. First, the United States believed that more than 2,000 Americans who served in Indochina during the Vietnam War era are still unaccounted for.<sup>87</sup> The researching of personnel listed as POWs and MIAs faced a number of difficulties due to the divergent policies among the two countries' leaders. Second, the U.S. military sprayed approximately eleven to twelve million gallons of the chemical defoliant Agent Orange over nearly ten percent of South Vietnamese territory between 1961 and 1971.<sup>88</sup> Agent Orange has severe effects, and can even kill the soldiers who are exposed to it. More seriously, Agent Orange can result in birth defects causing mental or physical issues for the soldiers' children. The issues of Agent Orange had remained in contention between the two countries before the first U.S. assistance came to the victims in Vietnam. In addition, the differences in the ways Vietnam and the United States looking at human rights issues and freedom of press hinder the development of their future relationship.

#### Tensions between China and ASEAN

The tensions between China and ASEAN resonate in SCS disputes. China's nine-dash-line policy, which claims eighty percent of the SCS area, creates disputes with five other countries: The Philippines, Malaysia, Indonesia, Brunei, and Vietnam. These five

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<sup>87</sup> Mark E. Manyin, *U.S.-Vietnam Relations in 2010* (Washington, DC: Congressional Research Service, August 6, 2010), 8, accessed November 14, 2015, <http://www.dtic.mil/get-tr-doc/pdf?AD=ADA530565>.

<sup>88</sup> Manyin, *U.S.-Vietnam Relations in 2014*.



countries officially deny the legal basis of the nine-dash-line claim, and of the five, the Philippines and Vietnam are the two countries who have taken decisive actions to reject it. In 2013, the Philippines filed a case against China at the Permanent Court of Arbitration in The Hague, seeking legal support for the country's rights on the maritime territory in the SCS. In July 2016, even though China had declined to participate in the lawsuit, the PCA ruled China had no legal grounds for the nine-dash-line claim and concluded that China had violated Philippines' sovereignty in the SCS.<sup>89</sup> Similarly, Vietnam has officially rejected the nine-dash-line claim and provided the evidence of China's aggression to the United Nations.

In addition, there are reports of conflicts originating from collisions among PLAN, China's Maritime Police and Fisheries Control, with other claimants in the SCS. During its history of operation, ASEAN Ministerial Meeting (AMM) has announced joint statements several times on the SCS dispute which criticize any provocative actions from any parties and requests to maintain the status quo in the SCS.

### Functions

The relationships and tensions among Vietnam, China, and the United States have unique roles on current VN-US naval cooperation. While Vietnam and the United States are increasingly cooperating in various aspects, including economy, education, culture, and security, the Vietnam War and its legacy still have negative impacts on building mutual trust between the two countries. In addition to the issues in the past, the

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<sup>89</sup> Ben Westcott, "Philippines vs China: Why the South China Sea ruling may change Asia," *CNN News*, July 4, 2016, accessed November 22, 2016, <http://www.cnn.com/2016/07/04/asia/south-china-sea-un-case-explainer/>.

differences between two political systems, communism and capitalism, result in misunderstandings in some aspects, like human rights and freedom of press. These discrepancies are impediments to improving the current relationships between the two nations.

China is one of the instrumental factors having great impact on an improved naval relationship between Vietnam and the United States. On the one hand, since China's increasingly aggressive actions in the SCS are threatening Vietnam's security and U.S. interests, China might be an external reason and one of the most explicit catalysts for reinforcing the VN-US naval cooperation. However, China can deter more cooperation between the two nations. China and the United States are the largest economies in the world, so any conflicts between these two nations will have detrimental effects on each country's development. According to RAND, a nonprofit institution that helps improve policy and decision-making through research and analysis, conflicts between the United States and China would likely lead to a global economic contraction greater than the one that occurred in 2008. Consequently, China's international economic influence could be a hindrance to the process of improving security cooperation between Vietnam and the United States. Moreover, China also is one of the most crucial exporting markets for Vietnam's goods. Beijing could use this as an economic tool to stop Vietnam from further improving their naval relationship with the United States.

In addition to the economic influence on Vietnam, China plays instrumental roles in ASEAN economy. In 2016, ASEAN committee organized in Cambodia—a close partner to Beijing—could not issue a joint statement about the SCS. Under Beijing's pressure, Cambodia repeatedly insisted they would not join in expressing any common

position on the dispute between the Philippines and China. There was no consensus among the ten nations in ASEAN. Based on its influence on some close partners, China could exploit these relations to break the unity and cohesion of ASEAN. More seriously, Beijing could manipulate ASEAN to force Vietnam not to intensify a closer relationship with the US.

In conclusion, the current relationship between the United States and Vietnam in terms of naval cooperation is complicated and significantly affected by other China and ASEAN. It is not simple to suggest a suitable framework which will benefit Vietnam and the United States without overly jeopardizing the relationship with other actors. In the next part, the author will analyze the two viable options: strategic partnership and alliance relationship under the lens of feasibility, acceptability and suitability analysis to figure out what framework will serve as desired environment for the two nations in the future.

### Desired Environment

#### Strategic partnership

According to Pham Binh Minh, Minister of Foreign Affairs of Vietnam, strategic partnership is understood “as a form of foreign relations in which parties acknowledge the need to increase cooperation with greater attention to each other’s strategic interests with extensive cooperation and shared interests toward strategic trust.”<sup>90</sup>

Based on the concept defined by Thomas Wilkin, an expert in security studies and strategic studies with a particular emphasis on the Asia-Pacific region, a strategic partnership is a structured collaboration between states (or other ‘actors’) to take joint

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<sup>90</sup> Pham, “CP of Vietnam, building strategic, comprehensive partnerships.”

advantage of economic opportunities, or to respond to security challenges more effectively than could be achieved in isolation. Strategic partnering occurs both in and between the international and domestic sectors ('levels'). Besides allowing information, skills, and resources to be shared, a strategic partnership also permits the partners to share risks.<sup>91</sup>

Accordingly, a strategic partnership can be considered as characterized by three aspects:

First, strategic partnership is a mutual and structured cooperation between two states in various aspects. The purpose of this relationship is goal-driven in which one country can have its own strength, so the cooperation will encourage the two nations to share their innovations to create mutual development.<sup>92</sup> For example, the United States and India's strategic partnership is expressed by the second Joint Statement India-US Strategic and Commercial Dialogue in August 2016. This joint statement is also articulated by two concrete projects: Engineers and Scientists Exchange Program Agreement and Framework for the India-U.S. Cyber Relationship. Unlike comprehensive relationships, the two nations will have not only a joint statement in particular issues and

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<sup>91</sup> Thomas Wilkin, "Alignment, not Alliance: The Shifting Paradigm of International Security Cooperation" (Centre for International Security Studies, University of Sydney), accessed March 29, 2017, [http://paperroom.ipsa.org/papers/paper\\_159.pdf](http://paperroom.ipsa.org/papers/paper_159.pdf).

<sup>92</sup> Prashanth Parameswaran, "Explaining US Strategic Partnerships in the Asia-Pacific Region: Origins, Developments and Prospects," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 36, no. 2 (2014): 262-289, accessed December 18, 2016, Military and Government Collection, EBSCOhost.

aspects or frequently create dialogues to enhance to relationship but also establish a concrete plan to realize common goals.<sup>93</sup>

Second, the purpose of strategic partnership is to address common challenges. Common challenges need to be understood as the difficulties which confront the stability and security of each nation. It does not point out or target particular countries. For example, the United States and India emphasized their determination to address terrorism and cybercrime. Through detailed plans and actions, as in the 2015 Joint Declaration on Combating Terrorism and Framework for the India-U.S. Cyber Relationship, the two countries have increasingly built a comprehensive framework to mitigate and deal with common challenges. The same challenges were reiterated in the 4th United States-Singapore Strategic Partnership Dialogue in January 2016. Countering violent extremism and guaranteeing cybersecurity are principal focuses for addressing common challenges between the two countries.<sup>94</sup>

Third, the strategic partnership supports each country's autonomy. It does not define the responsibilities of one country to help if conflicts occur in the other nation. It means that it is not mandatory for one country to engage in the other state's conflicts. This is most obvious difference between the strategic partnership and alliance relations. For example, in 2008 the United States signed the strategic partnership with Ukraine. The

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<sup>93</sup> Carlyle A. Thayer, "The U.S.-Vietnam Comprehensive Partnership: What's in a Name?," Scribd, accessed December 18, 2016, <https://www.scribd.com/document/156279178/Thayer-The-U-S-Vietnam-Comprehensive-Partnership-What-s-in-a-Name>.

<sup>94</sup> U.S. Office of the Spokesperson, "The 4th United States-Singapore Strategic Partnership Dialogue," 22 January 2016, accessed December 18, 2016, <http://www.state.gov/r/pa/prs/ps/2016/01/251668.htm>.

section II on Defense and Security Cooperation in United States-Ukraine Charter on Strategic Partnership defined the security relation between the two nations.<sup>95</sup> However, it is not compulsory for the United States to send troops to engage in the conflicts in Ukraine.

### Alliance relationship

According to the book “The Concept of Military Alliance,” written by Stefan Bergsmann, a military alliance is an international agreement concerning national security in which the contracting parties promise to support each other in case of a crisis that has not been identified in advance.<sup>96</sup>

A military alliance relationship has three characteristics. First, it needs to be signed by states. A state must be formally recognized by the international community. Second, it is an explicit agreement. Signatories understand profoundly their duties, responsibilities, and benefits defined in the agreement. Third, the events for which the specified behavior is promised are unknown and uncertain. This feature distinguishes alliances from coalitions. While coalitions are formed to deal with a tangible and existing enemy, the alliance relationship is a promise to support each other if or when an unforeseen crisis happens in the future. Although it depends on the mutual defense treaty,

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<sup>95</sup> Bureau of European and Eurasian Affairs, “United States-Ukraine Charter on Strategic Partnership,” Department of States, December 19, 2008, accessed December 18, 2016, <http://www.state.gov/p/eur/rls/or/142231.htm>.

<sup>96</sup> Stefan Bergsmann, “The Concept of Military Alliance,” Scribd, accessed March 3, 2017, <https://www.scribd.com/document/61150586/Mil-Alliance>.

the majority of alliances are promises to provide military assistance for each other whenever one state is attacked.<sup>97</sup>

In a strategic partnership, the alliance relationship has three principal differences. First, strategic partnership is a lower level and less binding commitment in comparison with alliances. While a strategic partnership is goal-driven, an alliance relationship is threat-driven and constructed to be against, and only derivatively for, someone or something.<sup>98</sup> Second, whereas a strategic partnership creates an opportunity to cooperate to deal with common challenges, the driving force of an alliance relationship is to address potential and tangible adversaries. Third, a strategic partnership does not require military aid; in contrast, the alliance relationship strictly requires military assistance while one state is under attack.<sup>99</sup>

Based on the comparison between strategic and alliance relationship, in the following portion the author will apply the framework for each option on the relationship between Vietnam and the US. Using risk analysis framework based on suitability, feasibility, and acceptability requirements the research will compare the two options and then suggest a course of action for the two nations in the future.

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<sup>97</sup> Bergsmann, "The Concept of Military Alliance."

<sup>98</sup> Wilkin, "Alignment, not Alliance."

<sup>99</sup> Parameswaran, "Explaining US Strategic Partnerships in the Asia-Pacific Region," 262-289.

### Alliance between Vietnam and the United States

If Vietnam and the United States become allies, regarding the first characteristic of alliance relationship, a mutual defense treaty will be signed between the two nations. The treaty will explicitly regulate the responsibilities, rights, and benefits of the two nations in the future. The alliance relationship will require more transparency and cooperation between the two countries. Second, in order to realize the treaty, the United States will invest more assets in Vietnam and modern weapons, equipment, and technology can be transferred to Vietnam. In addition, Vietnam can improve the quality of amphibious warfare which the United States have superiority. In return, Vietnam will allow the United States to open bases along the coast and even inside the mainland. U.S. soldiers will deploy, train, and work with Vietnamese soldiers. The two countries will have an official promise to provide military aids to help each other if one state is under attack. There will be specific patterns in the agreement which define China as a common adversary, and the specific methods or projects to neutralize China in SCS.

### Suitability

An alliance relationship between the two nations will meet the strategic goals of each country. To the United States, since Vietnam has long coast, a substantial number of islands and a large number of ports located along the SCS, the country could provide the U.S. armed forces with a huge number of access points to the SCS. If, in the worst scenario, the conflicts occurred in the SCS, with bases constructed in Vietnam, the United States would guarantee the capability to provide force projection in the vast area and still maintain superiority or even supremacy. Moreover, as Vietnam has an improved infrastructure like the big oil filter factory in Dung Quat or developed transportation



system which can provide significant logistic support to the U.S. naval forces. When Vietnam becomes an important logistics hub and combines with the bases in the Philippines, PACOM can more effectively increase its presence in the SCS and reduce the cost on logistics support. The U.S. forces will operate widely in the SCS and guarantee freedom of navigation in the SCS. Maintaining the adequate presence with reasonable cost, the Pentagon could reduce the financial burden and guarantee freedom of movement in the SCS. More importantly, the extensive presence of the U.S. armed forces play a vital role to deter and prevent China's aggressive actions in the SCS. China will face huge obstacles to build more artificial islands and provoke more tensions in the SCS.

Similarly, Vietnam will get substantial benefits from the alliance relationship. The Mutual Defense Treaty will be a deterrence for Beijing's aggression and is a chance to reinforce Vietnam's naval power. Realizing that any conflicts with Vietnam can escalate to a conventional war, Beijing will be cautious with future claims and activities. Being backed by the U.S. armed forces would assist Vietnam maintain the sovereignty over current number of islands in the SCS and prevent any China's invasion in the future. Moreover, in May 2016, the U.S. arms embargo on Vietnam was fully lifted. This provided an opportunity for Vietnam to modernize the country's armed forces.<sup>100</sup> Currently, even though weapons and equipment are aging, and the maintenance cost is unacceptably high, Vietnam finds it difficult to replace or upgrade those systems due to a limited military spending budget. The United States can help build partner capacity

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<sup>100</sup> Gardiner Harris, "Vietnam Arms Embargo to Be Fully Lifted, Obama Says in Hanoi," *New York Times*, May 24, 2016, accessed November 25, 2016, <http://www.nytimes.com/2016/05/24/world/asia/vietnam-us-arms-embargo-obama.html>.

through training soldiers, modernizing weapons, and increasing readiness for VPA, particularly the Navy and Coast Guard.

### Feasibility

One of the most challenging hurdles for the two nations proceeding to the level of alliance in their relation is the “three no” rules in Vietnam’s policy. The “three no” rules are: “no military alliances, no allowance for any country to set up military bases on Vietnamese territory, and no reliance on any countries for help in combating other countries.”<sup>101</sup> It would take great efforts to change this policy in Vietnam in the near future. In addition, in 1978 Vietnam signed a mutual defense treaty with Soviet Union, but the treaty turned out to be ineffective when the Soviet Union did not send troops to support Vietnam during the Sino-Vietnamese War in 1978 and did nothing to prevent China’s attack on Spratly in 1988. Vietnamese leaders, as well as the population, still distrust the power and effectiveness of an alliance relationship in protecting their territory.

In addition, there are sure to be protests among U.S. policy makers. Sen. John Cornyn, backed by Senators Marco Rubio, John Boozman, and Bill Cassidy claim that the relationship between Vietnam and the United States cannot go further unless the human rights issues in Vietnam are solved. This will be an enduring issue between the two nations due to the different lenses through which human rights are viewed as a result of fundamental differences between capitalism and communism.

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<sup>101</sup> Truong-Minh Vu and Nguyen Thanh Trung, “A U.S.-Vietnam Alliance or Still a U.S.-Vietnam-China Triangle?”

## Acceptability

The acceptability criterion will evaluate whether benefits of the alliance justify the undesired consequences. There are several serious and unwanted effects of an alliance relationship. In terms of China's reaction, in addition to being an important export market, China also contributes considerably to ODA to Vietnam. An alliance between the United States and Vietnam will irritate China; consequently, Vietnam will face more difficulties developing its economy. China is one of the most crucial partners and export market for Vietnam's economy. It is likely that the world's second largest economy can institute economic sanctions on Vietnam. If Beijing stopped importing products from Vietnam, reduced capital investment, or ceased ODA, it would make Vietnam's economy seriously suffer.

Moreover, China may consider the mutual defense treaty to be a provocative action. As Ouyang Yujing, director general of the Department of Boundary and Ocean Affairs of China's Foreign Ministry, has said, the relationship between China and the United States is like a spring. The more pressure from United States, the larger the rebound from China.<sup>102</sup> As a result, China could respond with increased military spending. It is difficult to know the exact amount of money China is spending on its military. In fact, the country is already the second largest military spender in the world. In

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<sup>102</sup> Xue Li and Xu Yanzhuo, "How the US Misjudged the South China Sea, Part II," *The Diplomat*, August 2016, accessed March 5, 2017, <http://thediplomat.com/2016/08/how-the-us-misjudged-the-south-china-sea-part-ii/>.

2016, Beijing spent 7.6 percent of China's GDP on military.<sup>103</sup> If Vietnam and United States sign an alliance treaty, Beijing will have a convincing reason to increase their military modernization budget. A military arms race would be inevitable, which could create potential risks for not only Vietnam but also other nations in the area. More seriously, in order to test the effectiveness of the alliance treaty, China could increase aggressive actions in the sea. Unilateral fishing bans, collisions at sea, or bullying could increasingly occur. More seriously, China could create an Air Defense Identification Zone (ADIZ) which they have done in East China Sea. Certainly, these undesired impacts are excessive. The risks Vietnam faces would not be mitigated and the country would confront more serious security challenges in the SCS.

The U.S. economy could also be negatively impacted by an alliance treaty with Vietnam. As the two largest economies in the world, any conflicts between China and the United States could create a severe crisis affecting the international economy. The U.S. economy has recovered from the recession in 2008, but remains vulnerable to any crisis in the near future. Since Beijing is the biggest debt holder of the United States, and a lot of U.S. companies are investing in China, the country has the capability to challenge the U.S. economy. In addition, for the United States, the alliance relationship with Vietnam could harm the existing alliance relationships with other nations. Even though the United States has a substantial amount of assets in the SCS combined with the support from Vietnam, they cannot respond to any aggression from China. If Vietnam was under attack

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<sup>103</sup> Michael Martina and Ben Blanchard, "China says defense spending pace to slow, to improve intelligence," *Reuters*, accessed December 18, 2016, <http://www.reuters.com/article/us-china-parliament-defence-idUSKCN0W7005>.

from China and the United States could not respond effectively and adequately, other U.S. alliances would reconsider or might change the level of their relationships with the United States. The lessons from Vietnam could change their strategic policy to look for other dependable alliances. The U.S. global strategy and reputation would be deteriorated.

It is difficult to predict the reactions from ASEAN, yet the VN-US alliances is likely to degrade cohesion among the ten nations. Using its economic influences, China would lay pressure on ASEAN requiring the organization to protest Vietnam from having alliance relationship with the United States. ASEAN would be divided into two groups: supporting or protesting. In addition, The Philippines, the only U.S. alliance in ASEAN, would react negatively to the alliance relationships between the United States and Vietnam. Currently, the Philippines functions as a U.S. vital access point to the SCS. Originally being signed between the United States and the Philippines in 2014, the Enhanced Defense Cooperation Agreement has been added a new amendment which allows American military presence across five bases permanently in the Philippines. These bases will play significant roles to support rotational deployments near the contested SCS. However, feeling the change in U.S. strategic emphasis in the area, the Philippines would decrease its future cooperation with the United States resulting in halting a lot of military cooperation between Manila and the Washington DC. More seriously, Manila would seek for a new strategy which would reduce dependence on the United States and strengthen closer ties to China. This approach would cause dire effects on U.S. long-term strategy in the SCS.

## Summary

An alliance relationship between Vietnam and the United States can increase the U.S. presence in the SCS with reasonable costs and guarantee freedom of navigation in the SCS. It would also reinforce Vietnam's naval power and act as a deterrence against China's aggression. However, Vietnam and the United States do not have a strong enough foundation to build the highest level of military cooperation, and the undesired consequences of the relationship are unacceptable. In light of this, the relationship does not meet the requirements of feasibility and acceptability. As a result, it is premature for the two nations to proceed with an alliance relationship in the near future.

### Strategic partnership between the United States and Vietnam

Vietnam and the United States signed a Comprehensive Partnership Agreement in 2013. A new strategic partnership would be a reasonable upgrade between the two nations. The purpose of this relationship needs to be goal-driven: the two nations need to add more details to the current comprehensive agreement to enable a more profound future mutual development. Unlike the memorandum of understanding on bilateral defense for the comprehensive partnership, the two nations need to specify concrete future cooperation in particular areas. Specifically, it is necessary for the United State to increase the quality and quantity of weapon sales to Vietnam. Vietnam will get more support and assistance to improve its current naval capacity.

## Suitability

Strategic partnership will enable the two nations to pursue their strategies. Although Vietnam does not allow the United States to open bases in their territory, U.S.

ships can still access a variety of ports along the coast. In the NSS 2015, the Pentagon acknowledged the challenges in the future when PACOM deploys in the SCS. One of the most formidable problems is logistics support. Since Rodrigo Duterte became the Philippines President, the world has witnessed a rift between the two traditional allies, America and the Philippines. When meeting with Chinese President, Xi Jinping, in October 2016 in Beijing, Duterte expressed his wish to separate the Philippines from the US.<sup>104</sup> As a result, the United States needs to seek an alternative partner to assist with its logistics support. The United States could strengthen the relationship with Indonesia and Malaysia, who can provide logistical support in the South; however, the country also needs a partner in west SCS. Vietnam would be a logical strategic logistical provider for the United States assets in the SCS and allow the United States to maintain a continuing presence in the SCS to guarantee freedom of navigation in the SCS at a reasonable cost.

Strategic partnership would also benefit Vietnam. Although there would not be U.S. bases and soldiers in Vietnam, the country could purchase advanced equipment and weapons systems due to a total lift of the U.S. embargo on lethal arms sales to Vietnam. In addition, Vietnam controls the largest number of islands in Spratly; nevertheless, the country has limited naval assets to maintain and protect its sovereignty over those islands. Since the concept of a strategic partnership allows the two nations to conduct exercises and rescue missions, Vietnam could strengthen its tactics and experiences in protecting its sovereignty in the SCS. Should Beijing realize that it will have to pay an unacceptable

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<sup>104</sup> Emily Rauhalah, "Philippines' Duterte called for a 'separation' from U.S. He is now backtracking," *The Washington Post*, October 21, 2016, accessed December 18, 2016, <https://www.washingtonpost.com/news/worldviews/wp/2016/10/21/the-backtracking-begins-duterte-ally-softens-philippines-separation-from-u-s/>.

price to invade Vietnamese islands, Vietnam could successfully maintain status quo of its islands in the SCS.

### Feasibility

There are barriers which could slow the strengthening of the VN-US relationship. Again, the differences between two governments could result in different perspectives on human rights issues and freedom of speech. There are some voices in the U.S. Congress who are against a close relationship between the United States and a communist country. However, these opinions comprise a small proportion in comparison with the number of supporters. A pivot to Asia provides convincing evidence that the U.S. public and its leaders desire a closer relationship with Vietnam. In addition, Pham Binh Minh, Minister of Foreign Affairs of Vietnam, emphasized that strategic and comprehensive partnerships always involve shared interests, but that does not mean to avoid differences if there are any. He also added that what matters about the relationship framework is how they address issues toward fostering cooperation and minimizing differences. Consequently, the differences between the two governments can be a potential deterrence; however, with frequent dialogue and official visits between the two nations' leaders, these challenges can be mitigated.

Vietnam and the United States have reached an opportunity to upgrade to a strategic relationship. Since Vietnam and the United States signed a Comprehensive Partnership Agreement in 2013, the two countries have cooperated and developed mutual reliability. Right after the agreement being launched by the two countries' leaders, the United States provided \$18 million in new assistance to help Vietnam improve naval capability. IMET program has illustrated its effectiveness in VN-US relationship. IMET



graduates have become a significant bridge to connect to the militaries. More importantly, in his visit to Vietnam, President Obama declared a full lift of U.S. arms embargo on Vietnam. This is a huge breakthrough, bringing the two enemies in the past to becoming close and promising partners in the future. By recent cooperation programs, information exchanges, and leaders' visit and dialogues, the two countries have changed the reliability as characterized by comprehensive partnership to the mutual trust which is the core foundation for a higher level of cooperation, strategic relationship.<sup>105</sup>

### Acceptability

A strategic partnership between Vietnam and the United States may face an obstacle caused by Beijing. If Vietnam proceeds with building a closer relationship with the United States, China will use its instruments of national power—diplomatic, informational, military, and economic tools—to deter or even jeopardize a strategic VN-US cooperation. Although China would not impose economic sanction on Vietnam, Beijing still shows its irritation. PRC may reduce its ODA and discourage Chinese companies to invest on Vietnam. Moreover, China can implement additional fees on Vietnam's goods which could reduce competitiveness for the nation's products. In the short term, Vietnam's economy could be negatively impacted. However, Vietnam has increasingly become an ideal destination for international investors. In addition, Hanoi is trying to build a more independent economy and reduce its dependence on China. As a result, in the long-term, China's economic punishments may have only marginal effects on Vietnam's economy.

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<sup>105</sup> Pham, "CP of Vietnam, Building strategic, comprehensive partnerships."

Similarly, in terms of the military, China may conduct a “show of force” strategy. Routinely, whenever Vietnam proceeds with becoming closer with the United States, Beijing causes more tension in the SCS. Leaders in the PRC warn that “Vietnam must not play a dangerous game between China and the United States, which is something of playing with fire”<sup>106</sup>. China would escalate the “Salami Slicing” strategy in the SCS.

ASEAN would respond positively to the new strategic partnership between the United States and Vietnam. Currently the United States has signed alliance relationship with two countries (the Philippines and Thailand) and strategic partnership with other two countries (Indonesia and Singapore). The VN-US strategic relationship would not provoke any serious issues among the ten nations.

### Summary

There is some friction as Vietnam and the United States move toward a strategic relationship. The differences between the two systems and China’s disapproval of a closer relationship can pose challenges. However, the two countries have constructed a mutual trust based on the current relationship and the purpose of cooperation is for mutual development. In response, China would not protest fiercely and the level of Chinese provocation would be acceptable. The strategic partnership meets the requirement of feasibility, acceptability and suitability.

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<sup>106</sup> Li Hongmei, “Vietnam advisable not to play with fire,” *China People's Daily*, August 17, 2010, accessed November 29, 2016, <http://en.people.cn/90002/96417/7107160.html>.

Table 1. Desired naval cooperation between Vietnam and the United States				
	Alliance relationship		Strategic partnership	
	Answer	Reasons	Answer	Reasons
Suitability	Yes	VN: <ul style="list-style-type: none"> <li>- Modernizing armed forces</li> <li>- Maintaining sovereignty</li> <li>- Preventing Chinese invasion</li> </ul>	Yes	VN: <ul style="list-style-type: none"> <li>- Reinforcing armed forces</li> <li>- Maintain status quo</li> </ul>
		US: <ul style="list-style-type: none"> <li>- Basing in Vietnam</li> <li>- Increasing presence in the SCS</li> <li>- Reducing the cost of deployment.</li> </ul>		US: <ul style="list-style-type: none"> <li>- Logistics support from VN</li> <li>- Increasing presence in the SCS.</li> <li>- Reducing cost of deployment</li> </ul>
Feasibility	No	VN: <ul style="list-style-type: none"> <li>- “Three no” policy</li> <li>- Distrust on military alliance.</li> <li>- The Vietnam War legacies.</li> </ul>	Yes	VN: <ul style="list-style-type: none"> <li>- The Vietnam War legacies</li> <li>- Weapons and equipment system</li> </ul>
		US: <ul style="list-style-type: none"> <li>- Human rights issues</li> <li>- The Vietnam War legacies</li> </ul>		US: <ul style="list-style-type: none"> <li>- Human rights issues</li> </ul>
Acceptability	No	VN: <ul style="list-style-type: none"> <li>- China’s economy sanctions on VN</li> <li>- China’s clashes, bullying, ADIZ</li> </ul>	Yes	VN: <ul style="list-style-type: none"> <li>- Moderate increase of small conflicts on the SCS</li> </ul>
		US: <ul style="list-style-type: none"> <li>- China’s increase of military budget spending</li> <li>- Increase conflicts on the SCS</li> <li>- Degrade traditional alliance relationship</li> </ul>		US: <ul style="list-style-type: none"> <li>- Moderate increase of small conflict in the SCS</li> </ul>

Source: Created by author.

### Conclusion

Suitability, feasibility and acceptability analysis framework provide a useful tool to determine potential risks for future strategy. An alliance between Vietnam and the United States is not feasible and acceptable; consequently, this relationship would create excessive risks for the two nations. In contrast, although strategic relationship between Vietnam and the United States potentially result in some frictions, these undesired effects can be mitigated. Strategic relationship is suitable, feasible and acceptable and it should be the desired relationship between Vietnam and the United States in the future.

## CHAPTER 5

### FUTURE VN-US NAVAL FRAMEWORK

Chapter 4 analyzed and concluded that strategic partnership should be a desired framework for the two countries in the future. The framework for naval cooperation between Vietnam and the United States will primarily focus on dealing with the problems (determined in table 1: Desired naval cooperation between Vietnam and the United States) which deter the two nations from upgrading from the comprehensive partnership to a strategic relationship.

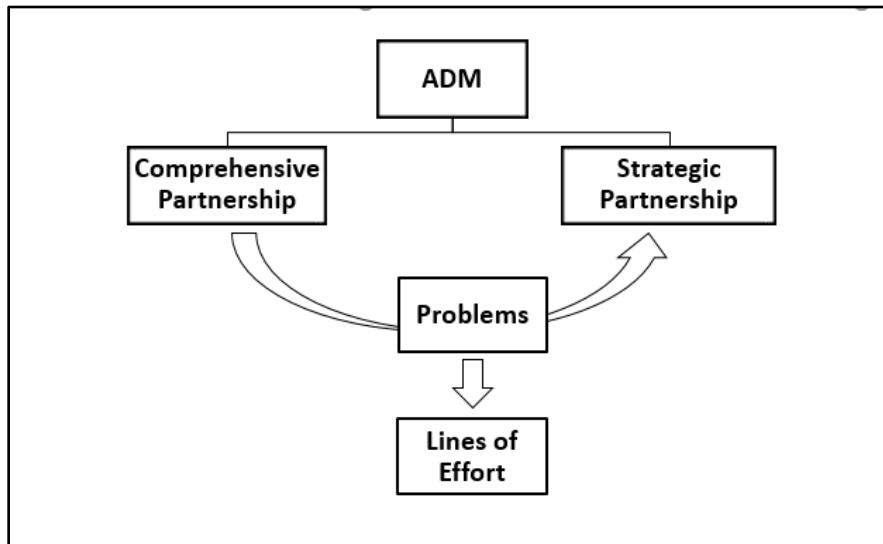


Figure 7. Framework for Naval Cooperation between Vietnam and the United States

*Source:* Created by Author

In order to upgrade from a comprehensive partnership to strategic partnership in terms of naval cooperation, the research suggests three lines of effort: remove, change and provide. It means that if the problems in the comprehensive partnership are not

required in strategic relations, then those problems need to be removed. If the problems are required, then the next group of solutions will attempt to change them so that they are no longer an obstacle. Lastly, the problems can be something missing in the strategic relationship, so the solutions will need to provide them.

### Removing obstacles

#### War legacies

As mentioned in the tension between the United States and Vietnam, war legacies, human rights and freedom of speech are the main obstacles to the two nations upgrading their relations.

In terms of the Vietnam War legacies, before 1990, a large proportion of the U.S. veterans and intelligence forces believed in a Vietnam's conspiracy to keep POWs as an advantage to negotiate with the U.S. government. In early 1990, for first time after the Vietnam War ended, Vietnam granted the U.S. access to classified sites. After a thorough search, the report conducted by Senators John Kerry, Bob Smith, and John McCain concluded that ""There is no compelling evidence that proves that any American remains alive in captivity in Southeast Asia."<sup>107</sup> Vietnam showed the country's transparency. The misunderstanding between the two countries in terms of POWs had been removed. Since that moment, the two countries have cooperated to conduct more searches for the U.S. MIAs in Vietnam. In 2013, remarking on twenty-five years of MIA searching cooperation between Vietnam and the United States, Vietnam's Deputy Foreign Minister

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<sup>107</sup> Steve Gerstel, "No compelling evidence any Vietnam POWs still alive," UPI archives, January 13, 1993, accessed March 5, 2017, <http://www.upi.com/Archives/1993/01/13/No-compelling-evidence-any-Vietnam-POWs-still-alive/6182726901200>.

Ha Kim Ngoc emphasized that the MIA search was the priority of cooperation between the two countries after the war ended, laying the foundation for the VN-US normalization and cooperation. Cooperative activities in this area are still contributing to the multifaceted cooperation between the two countries.<sup>108</sup> However, in an attempt to expand the achievements, Vietnam and the United States need to provide more financial and personnel support for MIA search missions to find the last soldier remains.

War legacies are also associated with Agent Orange consequences and remaining landmines. Agent Orange results in severe health damage to the soldiers who are exposed to it. The chemical substance can shorten or even take lives of both the Vietnamese and U.S. soldiers who fought in the war and can affect their future generations. Between 2.1 million and 4.8 million Vietnamese nationals were directly exposed to Agent Orange. Vietnamese advocacy groups claim that there are over three million Vietnamese suffering from health problems caused by exposure to the dioxin in Agent Orange.<sup>109</sup> However, the U.S. government repeatedly denied any legal liability to the issue. After the war, the two countries have disagreed on a workable solution to address the issue, and Agent Orange remains unsolved and is a considerable obstacle between the two nations' strategic cooperation.

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<sup>108</sup> Embassy of The Socialist Republic of Vietnam, "25 Years of Vietnam - US MIA Searching Cooperation" September 25, 2013, accessed March 5, 2017, <http://vietnamembassy-usa.org/news/2013/09/25-years-vietnam-us-mia-searching-cooperation>.

<sup>109</sup> Michael F. Martin, *Vietnamese Victims of Agent Orange and U.S.-Vietnam Relations* (Washington, DC: Congressional Service Research, August 2012), accessed March 5, 2017, <https://fas.org/sgp/crs/row/RL34761.pdf>.

There have been a lot of positive signs between the two countries to address the problems. Although the U.S. government has never admitted the consequences of using Agent Orange during the Vietnam War, the United States has started providing financial and scientific assistance to support Vietnam. From 2007 to 2012, the U.S. Congress has appropriated \$59.5 million for dioxin removal and related health care activities in Vietnam. Recently, the Vietnam the United States finished the first period of dioxin clearing in ex-military bases in Da Nang and will soon conduct another project in Bien Hoa. In comparison with severe consequences of Agent Orange, these projects exclusively address a small proportion of the issue; however, these efforts need to be appreciated and will be a basis for long-term and more effective plans in the future.

In order to remove this obstacle, the United States should provide more support for the victims affected by Agent Orange during the Vietnam War. The support can be financial assistance or medical treatment directly to the victims and their children. Clearing more contaminated areas and providing health care opportunities would be the next steps to reduce the evil consequences of Agent Orange and bring the two nations closer.

### Human rights

Human rights issues are the most complex obstacles to enhance VN-US relations. There are a number of controversial disagreements between Vietnam and the United States to these problems.

In the United States, there are annual reports to Congress conducted by the Department of States and the Commission on International Religious Freedom which express the concerns about the human rights in Vietnam. The most important issues are



related to the freedom of politics, freedom of association, freedom of speech and freedom of the press. In “the Vietnam 2015 Human Rights Report,” the U.S. Department of State claimed that despite limited competition among Communist Party-vetted candidates, the election for a National Assembly lacks equity. The report added that the most significant human rights problem in Vietnam was the government’s restrictions of citizen’s political rights.<sup>110</sup>

Similarly, other annual congressional reports criticize the lack of human rights in Vietnam. Some examples are mentioned in these reports as the evidence of human rights reality in Vietnam. More seriously, in 2002 the 107<sup>th</sup> Congress passed the Foreign Relations Authorization Act, Fiscal Year 2003. Section 702 of that Act stipulates eight specific requirements for these issues in Vietnam. Those areas include improving the government, releasing political activists, ending restrictions on religious activity, promoting freedom of the press, improving prison conditions, respecting worker’s rights, and cooperating with the U.S. requests.<sup>111</sup> Human rights issues in Vietnam also attracts attention from the U.S. officials. Some congressional members emphasized that the relation between Vietnam and the United States cannot go further unless the human rights in Vietnam significantly improves.

In response to the judgment, Vietnam indicates that these reports create a false understanding of human rights in Vietnam. A report drafted by the Vietnam’s

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<sup>110</sup> U.S. Bureau of Democracy, Human Rights and Labor, “The Vietnam 2015 Human Rights Report,” Department of State, accessed March 29, 2017, <https://www.state.gov/documents/organization/253025.pdf>.

<sup>111</sup> U.S. Congress, House, *Foreign Relations Authorization Act*, Fiscal Year 2003, 107th cong., 2d Sess., 2003. H.R.1646.

government on 18 June 2007 for the United Nations Human Rights Council stated that promoting human rights is the government's consistent priority. The Vietnamese constitution guarantees that every citizen has equal political, economic, cultural and social rights, and is equal before the law. The government adds that every citizen has the right to participate in the management of the State and the society, the freedoms of religion and belief, the right to free movement and residence in the territory of Vietnam, the right to complaints and petitions, the right to employment, education and healthcare etc. regardless of gender, race and religion.<sup>112</sup>

Vietnam also provides a variety of valuable examples of human rights reforms in the country. Concerning the freedom of press, Vietnam argues that the country has a number of state and private newspapers written in different languages. Vietnamese nationals can have unlimited access to advanced information technology, especially the Internet. Foreign press agencies and television channels, including Reuters, BBC, VOA, AP, AFP, CNN have rights to operate in Vietnam and can be viewed by all Vietnamese people. In terms of political freedom, Vietnam encourages qualified citizens to run for the National Assembly during the national election. In order to improve human rights, a penal code was passed explicitly to ban torture in any circumstances. Although, the report emphasized the huge and impressive achievement of Vietnam, it acknowledged some human rights issues existing in Vietnam. The report admits that the governmental system

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<sup>112</sup> Embassy of the Socialist Republic of Viet Nam, “National Report of the Socialist Republic of Viet Nam under the Universal Periodic Review of the United Nations Human Rights Council,” April 24, 2009, accessed December 22, 2016, <http://vietnamembassy-usa.org/news/2009/04/national-report-vietnam-under-universal-periodic-review-un-human-rights-council>.

lacks uniformity and spot overlapping conflicts, leading to difficulties and misunderstandings in the process of ensuring human rights.<sup>113</sup>

Understandably, there are some misunderstandings between the two nations in terms of human rights issues. These problems can hinder the effort to bring the two militaries closer. In order to mitigate these issues, it is necessary to conduct following solutions.

First, establish a common channel between the two nations to respond quickly and effectively to any human rights questions.

Second, open more dialogues from the agency to the state levels between the two nations to analyze the situation and create future solutions.

Third, Vietnam can invite more the United States and international organizations to invest in human rights issues. With an improvement of human rights, Vietnam will have more chances to show its efforts and achievements to the international community.

### Changing problems

#### IMET

One of the enduring and complex problems for VN-US cooperation is the lack of Vietnam's qualified English-speaking personnel. The United States is going to provide eighteen million dollars to Vietnam to help procure coast guard patrol vessels. The two sides have agreed to the project; nevertheless, Vietnam is not fully prepared due to the

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<sup>113</sup> Embassy of the Socialist Republic of Viet Nam, "Additional Report of the Socialist Republic of Viet Nam under the Universal Periodic Review of the United Nations Human Rights Council" accessed December 22, 2016.

inadequacy of English-speaking sailors and technicians. Moreover, if the two countries wish to proceed further in naval cooperation, qualified English-speaking personnel will be the core issue.

Currently, the IMET has been a priority for comprehensive partnership between the two militaries. Since 2005, The United States has provided Vietnam with a number of scholarships which allows Vietnamese officers to study in U.S. military schools.

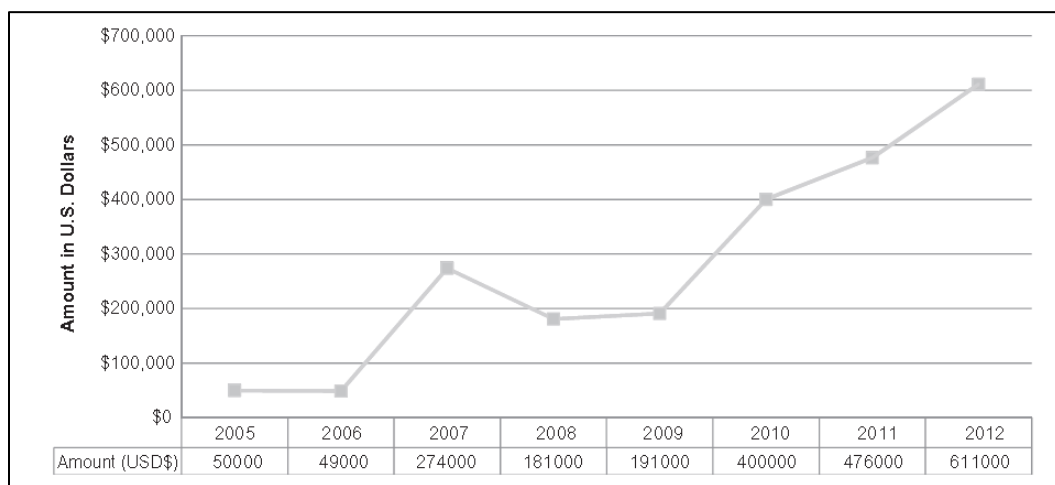


Figure 8. IMET Program Funding for Vietnam since 2005

Source: Murray Hiebert, Phuong Nguyen, and Gregory B. Poling, *A New Era in U.S.-Vietnam Relations: Deepening Ties Two Decades after Normalization* (Lanham, MD: Rowman and Littlefield, 2014), 15.

The diagram illustrates the increase in the amount of money the United States has spent on IMET programs for Vietnam. However, when analyzing the number of students for specific training areas, the percentage of students that attend U.S. schools from ground forces and air forces overwhelms the percentage from naval forces. In order to meet the demand of qualified English-speaking personnel in Vietnam, the two nations

need to implement necessary solutions to address the problems related to personnel issues.

First, the United States should reserve more seats for Vietnamese officers in military schools, especially naval schools.

Second, Vietnam and the United States can diversify the areas of training and open slots to NCOs and warrant officers in Vietnam.

Third, along with sending students to the United States, Vietnam needs to implement more on self-training programs for its personnel. In fact, VPA has maintained a language center in Hanoi where instructors from Australia and America come and teach English. The center has contributed to provide a number of English-speaking personnel to VPA. Recently, VPA has opened other centers in VCG and peace keeping headquarters. In the long-term, these schools will provide VPA with adequate qualified English-speaking; however, in order to address short-term inadequacy, VPA can expand more channels to recruit new personnel. Annually, there are thousands of students graduating from schools in English-speaking countries like Australia, England, and the United States. VPA should impose new policies which can allow VPN to utilize promising highly qualified personnel resources. Advertising in VPA's websites, newspapers or television programs would be an effective method to recruit citizens who are qualified with English proficiency. After completing military training courses, these new recruits can fill the vacancies in VPA and help intensify the cooperation between the two countries.

## Providing missing parts

### Weapon sales

One of primary points of emphasis in the strategic partnership—the desired relationship between the navies of the United States and Vietnam—is goal-driven. It means the two nations will cooperate closely to reinforce future capability. Weapon sales will be one of the most important aspects in the future cooperation framework between the two countries.

Vietnam will be a potential export market of weapons and equipment for the U.S. companies.<sup>114</sup> Vietnam already is the world's eighth largest weapons importer, and the country had increasingly spent on its self-defense, with arms imports rising 699% from 2011 to 2015. This will contribute substantially to increase U.S. GDP in the future.

Currently, Vietnam's naval armed forces possess most of the weapons and equipment being purchased from the Soviet Union and Russia (after the Soviet Union collapsed) and confiscated from the Republic of Vietnam (the South Government after the Vietnam War). Since Vietnam has purchased more than eighty percent of its weapons and equipment from the Soviet Union and Russia, Moscow has become Hanoi's vital weapon exporter. However, if Russian weapon sales in Vietnam were interfered or stopped because of any reason, this would create long-term risks to Vietnam's self-defense capability. In May 2016, President Barack Obama announced that the United States fully lifted a longstanding U.S. embargo on Vietnam of lethal arms. The U.S. decision has

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<sup>114</sup> Nicole Gaouette, "Why is the U.S. arming Vietnam?" *CNN*, May 23, 2016, accessed March 5, 2017, <http://www.cnn.com/2016/05/23/politics/vietnam-arms-embargo-china/>.

opened a new door to help Vietnam modernize its armed forces and reduce dependency on Russia.

There are some difficulties which can slow down the weapons purchasing process in Vietnam. First, since most of the weapons and equipment in VPA have been made in Russia, it is challenging and even costly to maintain and integrate U.S. systems into its Russian system. An example of Malaysia—a country that operates both Russian and NATO systems—shows ineffectiveness and high cost to integrate the two systems.<sup>115</sup> Second, in terms of personnel, inadequate qualified English-speaking NCOs and officers can hinder the naval armed forces from fully operating U.S. weapons and systems. Even though Hanoi has sent officers to the U.S. military schools, this number has not met the future requirement. Third, Vietnam finds it challenging to spend more of its GDP on military modernization. Since Vietnam is a developing country, the nation needs to balance between development and protection. According to World Bank, Vietnam allocated the equivalent of 2.4 percent of its GDP to defense in 2015.<sup>116</sup> However, the money spent of military modernization cannot dominate other fields like educational, medical, or economic development. Vietnam needs to find a solution to modernize its armed forces within the context of limited budgets.

The research suggests three solutions which can mitigate the difficulties and help

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<sup>115</sup> Franz-Stefan Gady, “US Arms Sales to Vietnam: A Military Analysis,” *The Diplomat*, June 2016, accessed March 5, 2017, <http://thediplomat.com/2016/06/us-arms-sales-to-vietnam-a-military-analysis/>.

<sup>116</sup> The World Bank, “Military expenditure (% of GDP),” accessed March 29, 2017, <http://data.worldbank.org/indicator/MS.MIL.XPND.GD.ZS?end=2015&locations=VN&start=1994&view=chart>.

Vietnam purchase the necessary weapons and equipment from the United States.

First, the future cooperation should emphasize on the modernization of the Vietnam Coast Guard first. Even though in 2014, the HD-981 drilled oil inside Vietnam's EEZ, the country's coast guard did not have enough equipment to enforce international laws. Modernizing the national coast guard has become a pressing mission for Vietnamese leaders. In addition, since VCG's main responsibilities are protecting sea security, EEZ and continental shelf boundary, modernizing this service is a justifiable need and would not create arm race in the SCS. Established in 1998, the VCG has been equipped with a number of new ships and patrol boats combined with equipment inherited from VPN. Consequently, VCG has suitable conditions to be the first service being equipped with new weapon systems from the United States. U.S. patrol boats, radar and surveillance equipment should first be experimented within VCG. Achievements in coordination between the two countries' national coast guard will pave the way to expand further cooperation between the two navies. If the cooperation between the two Coast Guards is promising, VPN can develop a new plan to purchase and equip other weapons. F-16 A/B fighter jets, P-3C Orion maritime patrol aircraft armed with torpedoes, and unarmed unmanned aerial vehicles are necessary to conduct patrol missions in the vast waters and improve logistics capability.<sup>117</sup>

Second, Vietnam can purchase U.S. military hardware at a reasonable cost under the Excess Defense Articles program. The program offers U.S. partners an opportunity to

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<sup>117</sup> Gady, "US Arms Sales to Vietnam: A Military Analysis"



buy refurbished weapons and equipment at a reduced price.<sup>118</sup> After Combatant Commands identify possible recipients to the Military Department, Defense Security Cooperation Agency facilitates coordination and approval of requests. Since the United States fully lifted the arms sale embargo on Vietnam in May 2016, and the cooperation between the two nations is burgeoning, the Washington DC could grant a lot of opportunities to Hanoi. Vietnam would have the opportunity to modernize naval armed forces at a reasonable cost.

#### Naval exercises

Since 2004, Vietnam and the United States have conducted Naval Engagement Activity (NEA)—a non-combat naval exchange between the two nations. In 2004, the guided-missile destroyer USS *Curtis Wilbur* was the first U.S. Navy ship visiting Da Nang. April 2015 is the sixth time the two Navies conducting a Naval Engagement Activity, and during five-day collaboration in 2015 the two Navies emphasized on non-combatant events and skills exchanges in military medicine, search and rescue, and maritime security. NEA has contributed significantly to bridge the gaps and increase understanding between the naval armed forces from the two nations.

Although the Joint Statement of Comprehensive Partnership Agreement signed in 2013 stated that the two Presidents “agreed to expand mutually beneficial cooperation to enhance capabilities such as search and rescue and disaster response on search and rescue and disaster response” and “underscored the importance of enhanced cooperation in non-

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<sup>118</sup> U.S. Defense Security Cooperation Agency, “Excess Defense Articles,” accessed January 14, 2017, <http://www.dsca.mil/programs/excess-defense-articles-eda>.

traditional security matters and agreed to work more closely to counter terrorism; enhance maritime law enforcement cooperation; combat transnational crime including piracy, and narcotics, human, and wildlife trafficking.”<sup>119</sup> So far, the two countries have realized the first part of the Joint Statement as exemplified by the six times NEAs focusing on search and rescue and disaster missions in Vietnam. The second part related to combat training exercises responding to piracy, narcotics, human, and wildlife trafficking has not taken any actions yet.

The SCS is among the busiest maritime transportation networks in the world. Although the countries in the area have made significant efforts in tackling piracy and drug smuggling, the results are limited. Not only Vietnamese cargo ships, but also international boats have increasingly been the victims of these criminal groups. Most recently, in February 2017, a group of pirates in the southern Philippines waters killed one crewman of a Vietnamese vessel and abducted seven.<sup>120</sup> Vietnam needs to increase its capability to address the increasing rate of crimes in the SCS. It is time for Vietnam and the United States to conduct more mutual training exercises to further address the problem of the increasing number of crimes in the area. Since the United States has ample experiences in dealing with maritime criminals as well as operating advanced

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<sup>119</sup> U.S. Office of the Press Secretary, “Joint Statement: Between the United States of America and the Socialist Republic of Vietnam,” May 23, 2016, accessed January 16, 2017, <https://obamawhitehouse.archives.gov/the-press-office/2016/05/23/joint-statement-between-united-states-america-and-socialist-republic>.

<sup>120</sup> Enrico dela Cruz; Editing by Martin Petty, Robert Birsell, “Vietnamese sailor killed, 7 abducted in Philippine pirate attack,” *Reuters News*, February 20, 2017, accessed March 27, 2017, <http://www.reuters.com/article/us-philippines-militants-idUSKBN15Z0J1>

weapons and equipment, Vietnam can significantly improve its capability to enhance sea security. In addition, as these exercises would require the two Coast Guards to cooperate with new weapons and equipment, the efforts will pave the way to increase combat training in the future.

The Marine forces in Vietnam were established during the Vietnam War and became the agile forces responding to any threats in Vietnam's shores and islands. However, since the Vietnam War ended, these marine forces have not had many opportunities to hone their experiences in amphibious tactics. In order to meet the requirement of protecting Vietnam's sovereignty over current islands in the SCS, Vietnam's Marine forces need to be modernized in terms of both equipment and tactics. Mutual amphibious training exercises with the U.S. Marine Corps would offer Vietnam's Marine Forces a valuable opportunity to improve and reinforce their capability to accomplish missions in the future. Mutual naval exercises are one of the most important parts for future cooperation between the two countries' naval forces since it will lay the foundation to increase mutual understanding and future cooperation.

#### Logistics cooperation

In the Asia-Pacific Maritime Security Strategy 2015, the U.S. Department of Defense determined that "one of the Department's top priorities is to enhance the maritime security capacity of our allies and partners, both to respond to threats within their own territories as well as to provide maritime security more broadly across the region."<sup>121</sup> Additionally, the U.S. NSS 2015 also emphasized that building partnerships

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<sup>121</sup> Department of Defense, "Asia-Pacific Maritime Security Strategy 2015," August 14, 2015, 25, accessed March 27, 2017, <https://www.defense.gov/Portals/1/>

can deliver essential capacity to share the burdens of maintaining global security. The future framework for future cooperation between the United States and Vietnam not only needs to increase the Southeast Asian country's capability but also helps the Pentagon reduce burden in maintaining the presence in the SCS. One of the daunting burdens which can downsize the U.S. naval forces operating in the SCS is logistics.

Brendon Hathorn, a naval post graduate student, in his research "Resource Burden of Logistics to Navy Ships Under Threat Scenarios" provided a rough calculation for the fuel cost delivered to the SCS under different scenarios.

Table 2. Total Dollar Cost Per Gallon DFM Delivered by Route (FY12 Dollars)		
Route	Composition A	Composition B
Manila → Spratly Is. (Low)	\$ 4.17	\$3.87
Manila → Spratly Is. (High)	\$5.82	\$4.39
Guam → Spratly Is. (Low)	\$4.75	\$4.06
Guam → Spratly Is. (High)	\$8.77	\$5.21
San Diego → Spratly Is. (Mixed Threats)	\$11.01	\$5.74

*Source:* Brendon Hathorn, "Resource Burden of Logistics to Navy Ships under Threat Scenarios" (Master's thesis, Naval Postgraduate School, 2013), 32.

The research illustrates that for the more efficient Combat Logistics Force vessel, the total logistics cost per delivered short ton is \$1,639 and the cost per gallon Distillate

Fuel Marine delivered is \$5.74. For the less efficient Combat Logistics Force vessel, the cost per gallon Distillate Fuel Marine delivered balloons to \$11.01. Surprisingly, 50% to 70% of the true cost of fuel is comprised of non-fuel costs.<sup>122</sup> The United States maintains 97,000 military personnel west of International Date Line for a total of 368,000 military personnel in the Asia-Pacific region. In the next five years, the ships assigned to Pacific Fleet outside of the U.S. territory will have increased by thirty percent and by 2020, 60 percent of naval and overseas air assets will be home-ported in the Pacific region.<sup>123</sup> The cost to provide logistical support for U.S. naval forces in the SCS could become excessively expensive.

In addition to expanding their ability to provide repairs and resupply with afloat facilities, the U.S. Navy has maintained logistical hubs in the Philippines, Singapore, Guam, Japan and South Korea. These solutions are helpful for the naval forces to alleviate logistics burdens; however, the United States needs a robust and capable logistics hub west of the SCS to reduce sustainment cost but increase operational reach. Vietnam possesses a variety of ports with improved facilities which could solve this problem. If Vietnam can provide important logistics hubs for the naval forces, the U.S. ships can remain on station longer without having to return to large facilities in Singapore and Japan.

Vietnam has constructed a number of ports along the coastline. Hai Phong, Da Nang and Ho Chi Minh city are the leading seaports respectively for the North, Middle

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<sup>122</sup> Brendon Hathorn, “Resource Burden of Logistics to Navy Ships under Threat Scenarios” (Master’s thesis, Naval Postgraduate School, 2013), 4.

<sup>123</sup> Department of Defense, “Asia-Pacific Maritime Security Strategy 2015.”

and South of Vietnam. Despite primarily being constructed for civilian purpose, these ports can be adjusted to be logistics support hubs which can support refueling and repairing services for military ships in case of emergency situations. In all of the civilian ports, Vietnam possesses eight capable military ports stretching from the North to the South.

Table 3. Vietnam's Navy Bases		
Base Name	Latitude	Longitude
Cam Ranh Bay	11.9069440	109.2072220
Cần Thơ	10.0244390	105.7755250
Đà Nẵng	16.1109260	108.2393520
Hà Tu	20.9419450	107.1428330
Hải Phòng	20.8622220	106.6872220
Huế	16.4844380	107.5741200
Nha Trang	12.2155560	109.2088890
Gia Lâm	21.0402780	105.8905560

*Source:* Sentinel Security Assessment, “Vietnam–Navy,” 7.

Since Cam Ranh is considered as one of the finest deep-water ports in Southeast Asia, the logistics cooperation should initiate in this port. Cam Ranh Bay has been utilized for military purposes for more than a century. France used the bay as a naval base to expand its invasion into the Indochina. When Japan ousted French troops from

Vietnam in 1940, the base became a military platform to invade other countries in Southeast Asia. During the Vietnam War, the United States constructed Cam Ranh to become a significant naval base and logistics hub for troops from both the United States and the Republic of Vietnam. After the Vietnam War, the Soviet government signed an agreement with Vietnam for a 25-year lease of the base. During the station time of Soviet troops, the base was reinforced and expanded significantly. Vietnam has continued to be fortified and has utilized the base since the last Soviet troops left in 2002.

Located in a strategically and commercially important position, Cam Ranh Bay offers a potentially excellent access point for ships and even submarines in the west of the SCS. From 2011 onwards, the VPN has constructed two new administrative sections, an air defense school, and several support buildings at the base.<sup>124</sup>



Figure 9. Before and after construction of naval port and support facilities at Cam Ranh Bay Naval Base. (Images dated 7 February 2011 (left) and 11 January 2013 (right)).

*Source:* Sentinel Security Assessment, “Vietnam–Navy,” 7.

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<sup>124</sup> Sentinel Security Assessment, “Vietnam–Navy,” 18.

The port is in the final stage of construction. DigitalGlobe satellite imagery from 2011 and 2013 shows that expansion continues and includes the development of two new piers at the naval port. Currently, it hosts six submarines, which have been purchased from Russia, and the base is home to a number of warships. In addition to providing basing and logistics for submarines and warships the port will serve as a key naval maintenance facility for vessels, which can handle 18 ships at a time and receiving 185 ship annually. The port has piers which are capable of receiving and providing logistical and repair services to most kinds of warships and carriers.<sup>125</sup>

The current relationship between the two countries has constrained the scope of naval cooperation into official port visits. Three times, since 2012, U.S. warships, have paid official visits to the Cam Ranh port. Recently, the Arleigh Burke-class guided missile destroyer USS *Mustin* (DDG89) visited the Vietnam's Cam Ranh international port in December 2016. It is time to expand their cooperation to a higher level. Vietnam possesses capability in terms of port support to help the U.S. naval forces to expand operational reach and increase their presence in the SCS at a reasonable cost. In the near term interaction, the naval logistics cooperation should be featured in three areas.

First, even though the port is incapable of providing specialized repairs, the U.S. ships can begin its normal services in Cam Ranh Bay. In the future, the two forces can work together to provide more intensive services.

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<sup>125</sup> Prashanth Parameswaran, "Vietnam unveils new port facility for foreign warships in camranh bay," *The Diplomat*, March 2016, accessed March 27, 2017, <http://thediplomat.com/2016/03/vietnam-unveils-new-port-facility-for-foreign-warships-in-cam-ranh-bay/>.



Second, instead of travelling long distances to get refueled, the U.S. ships can visit Cam Ranh for refueling. This will significantly reduce the cost to provide fuel and mitigate risks of travelling for U.S. ships.

Third, since the port has immense staging facilities, it is possible to provide storage for all U.S. commodities. This will save time and increase the effectiveness of U.S. logistics capability.

Lastly, USAID OFDA Regional Office is located in Bangkok, with emergency supply stockpiles in Bangkok and Singapore. USAID operates eleven bilateral missions in Asia: Bangladesh, Burma, Cambodia, India, Indonesia, Kyrgyz Republic, Nepal, Philippines, Sri Lanka, Timor-Leste, and Vietnam.<sup>126</sup> Cam Ranh Port would be an ideal collection point for U.S. ships and aircraft in support for OFDA missions.

#### Information sharing

The SCS is one of the most important and busiest maritime transportation systems in the world. Located near the equator, the SCS annually confronts a number of natural disasters especially typhoons. In addition to piracy, natural disasters result in a lot of damage, not only for countries in the area but also for international cargo ships. It is pressing to establish an effective platform in which countries in the area can work together and mitigate the catastrophic impacts from natural disasters and international criminals.

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<sup>126</sup> USAID, “ASIA,” February 3, 2017, accessed March 31, 2017, <https://www.usaid.gov/who-we-are/organization/bureaus/bureau-asia>.

Currently, the United States and Singapore run effectively the Singapore Maritime Information-Sharing Working Group which shares best practices and lessons learned from recent regional maritime activities.<sup>127</sup> In addition to benefiting the two nations in near term interactions, the platform aims to encourage more cooperation among the nations in Asian Pacific areas to respond to issues in the SCS.

Located in the long west edge of the SCS, Vietnam faces not only a number of disastrous typhoons but also increasing numbers of maritime crimes. Replicating a successful model of information sharing between the United States and Singapore, Vietnam should establish a similar channel with U.S. naval forces in the SCS. Utilizing the assets from the two nations, the information sharing platform will play a vital role to mitigate natural disasters and tackle piracy and international criminals in the areas.

#### Conclusion and recommendation

The relationship between Vietnam and the United States has undergone significant fluctuations. Although the two nations were in opposite front lines during the Vietnam War, the two governments and the nationals from the Vietnam and the United States have been endeavoring to heal the war scars. Commencing with the first steps to solve the war legacies, twenty-five years after the war, international community witnessed the first U.S. President visiting Vietnam in 1995, which remarked a milestone in breaking freezing ice in the two erstwhile adversaries' relation. In 2013, a Comprehensive Partnership Agreement was signed between the two presidents laying the foundation to strengthen the relationship between the two nations. With a thorough

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<sup>127</sup> Department of Defense, "Asia-Pacific Maritime Security Strategy 2015," 28.

analysis, the research concludes that the military alliance relationship between Vietnam and the United States is not acceptable and feasible. Since VN-US relationship is materially impacted by other factors especially China and ASEAN, military strategic partnership should be the desired framework of upgradation for the two nations.

Utilizing the ADM analysis framework, the research proposes three lines of effort to reinforce and further consolidate naval cooperation between Hanoi and the Washington DC. The first line of effort focuses on removing obstacles expressing in human rights and war legacy issues. The second line of effort is to adjust IMET through placing more emphasis and having a larger quota of naval personnel attending US schools rather than its current priority for army personnel. The last one emphasizes on providing to missing parts featured by weapon sales, naval exercises, logistics cooperation and information sharing.

Since the research is conducted in the transition time between the two administrations in the United States, it heavily relies on the policies and strategy of the former, the President Barack Obama's. As the SCS is vital to the U.S. interests, there will be not a significant change in the next administration. However, it is inevitable that there will be some shifts in the new administration regarding the SCS issues and the relationship with Vietnam. The changes in the new administration's policies will open the new door for future research to reexamine President Donald Trump's perspectives to the region. Future research also could assess if the proposed framework in this research is suitable, acceptable and suitable for the U.S. next administration.

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